

Gainesville, FL 32627-0470
352-334-5022
352-334-2648 (Fax)

www.cityofgainesville.org/planningdepartment

October 27, 2014

Mr. Clay Sweger
eda engineers-surveyor-planners, inc.
2404 NW 43rd Street
Gainesville, FL 32606

RE: Request for Emergency Declaration Development Order Extension for Oak Hammock at the University of Florida, Inc. (Phase II and transportation concurrency) (City Petition Number: 184PDA-04PB; Ordinance No.: 040665).
City petition number for the extension is: AD-14-131.

Dear Mr. Sweger:

Please be advised that the City of Gainesville has approved an Emergency Declaration Development Order Extension (Executive Orders 14-144 and 14-200) for the Oak Hammock Phase II Planned Development (PD) and the transportation concurrency associated with Phase II (City Petition Number 184PDA-04PB) under the terms stated in Section 252.363, Florida Statutes and Ordinance 110888, adopted by the City of Gainesville on September 20, 2011. **Under this extension approval, the new expiration date for the Oak Hammock at the University of Florida, Inc. Planned Development is 11:59 p.m. on February 3, 2016, and it is for Phase II of the project and associated transportation concurrency.**

The original expiration date stated in the PD Ordinance (see Condition 19 in Ordinance Number 040665 for Oak Hammock) was May 9, 2011 (72 months from May 9, 2005). This expiration date was extended by a Senate Bill 360 extension and a Senate Bill 1752 extension. As stated in 2010 SB 1752, a SB 1752 extension was in addition to the extension provided by the 2009 Senate Bill 360. The extension granted this PD for 2009 SB 360 was for exactly 2 years from the expiration date stated in the PD ordinance. The new expiration date for Oak Hammock Phase II and associated transportation concurrency was May 9, 2013 under the Senate Bill 360 extension. The SB 1752 extension granted an additional 2 years from that date, to make the final expiration date May 9, 2015.

Under the terms of the Emergency Declaration Development Order Extension, Phase II of the project is required to submit an application for development plan review with the City of Gainesville prior to February 3, 2016. All of the other terms and conditions of the

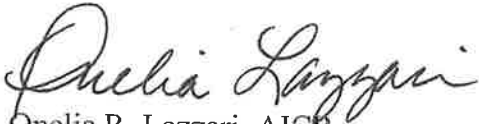
original PD approval (as shown in Ordinance 040665) remain in effect along with the transportation concurrency approval (mitigation for trips was required and paid for Phase II based on the agreement with Alachua County dated 7/8/02; see OR Book 2480, page 1390).

The conditions related to the approval of the final PD for Oak Hammock Phase II are shown in the attached PD ordinance.

This letter provides the new expiration date for the Oak Hammock Phase II project. Please keep this in your files as proof of the extension. This extension approval is filed under Petition AD-14-131 in the Planning and Development Services Department files.

If you need further information, please contact me at (352) 393-8694.

Sincerely,



Onelia R. Lazzari, AICP
Principal Planner

Attachments:

Approved Emergency Declaration Development Order Extension Form
PD Ordinance 040665



DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES



**REQUEST FOR EMERGENCY DECLARATION
DEVELOPMENT ORDER EXTENSION (Section 252.363, F.S.)**

This application must be filed within 90 days after the termination of an emergency declaration.

Governor's Declaration of State of Emergency Executive Order #: 14-144 and 14-200

OFFICE USE ONLY	
Petition No. <u>AD-14-131</u>	Date <u>10/20/14</u>

Owner(s) of Record (please print)
Name: Oak Hammock at the University of Florida
Address: 5100 SW 25th Blvd. Gainesville, FL 32608
E-mail Address: jcorbin@praxeis.com
Phone: 352-548-1000
Fax: 352-548-1015

Agent Authorized to Act on Owner Behalf*
Name: eda engineers-surveyors-planners, inc.
Address: 2404 NW 43rd Street Gainesville, FL 32606
E-mail Address: csweger@edafl.com
Phone: 352-373-3541
Fax: 352-373-7248

*Attach notarized authorization for agent to act on owner's behalf if not on file, or if authorization has expired

PROJECT INFORMATION	
1. Project Name	Oak Hammock at the University of Florida
2. Original Petition Number	184PDA-04B (City of Gainesville Ordinance No. 040665)
3. Street address	5100 SW 25th Blvd.
4. Tax parcel(s)	07176-018-000
5. Date Development Order expires**	May 9, 2015
6. Type of Development Order (e.g. SUP, development plan)**	Planned Development
7. What is the anticipated timeframe for acting on this extension?	6 months

**Please submit a separate Public Records Request form if needed and refer to corresponding fee for the Public Records request.

Please attach the following:

- A copy of the final development order
- A copy of the declaration of state of emergency (see www.flgov.com/all-executive-orders/)

Please check to acknowledge the following:

- It is the applicant's responsibility to apply for extensions of all related development permits (such as building permits, water management district permits and/or Department of Environmental Protection permits)
- The new expiration date will be calculated based on the emergency declaration time period plus 6 months from the existing development order expiration date.
- A request for an extension is not granted until approved by Planning staff as indicated on page two and under the conditions listed in the attached letter. The extension is only applicable to the development order issued by the Planning and Development Services Department.

(Please continue on page two)

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) shown in question 4 is/are the true and proper identification of the area for which the extension request is being submitted. Signatures of all owners or their agent are required on this form. Signatures will be accepted only with notarized proof.



[Signature]
Owner/Agent Signature
Clay Sweger
Print or Type Owner/Agent Name
10/9/14
Date

STATE OF FLORIDA
COUNTY OF Alachua

Sworn to and subscribed before me this 9th day of October 2014,
by (Name) Clay Sweger

[Signature]
Signature - Notary Public

Personally Known OR Produced Identification (Type) _____

STAFF USE ONLY		
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Pending Additional Information	<input type="checkbox"/> Denied
<input checked="" type="checkbox"/> Letter attached		
Reviewing Planner: <u>Onelia LAZZARI</u>	Planner Signature: <u>[Signature]</u>	Date: <u>10/27/14</u>
Comments: <u>New expiration date for PD Ordinance 040665 is 11:59PM on February 3, 2016. This is applicable for Phase II of the PD. Letter is attached with details.</u>		

Date: 10/27/14

To Whom It May Concern:

I, G.T. Mallini, President of Oak Hammock at the University of Florida, Inc., authorize eda engineers-surveyors-planners, inc. to act as my agent in obtaining an Emergency Declaration Extension approval from the City of Gainesville for the Oak Hammock Planned Development on tax parcel number 07176-018-000, located at 5100 SW 25th Boulevard, Gainesville, FL 32608.

Sincerely,

G.T. Mallini

Oak Hammock at the University of Florida, Inc.

STATE OF FLORIDA
COUNTY OF Alachua

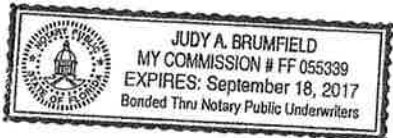
Sworn to and subscribed before me this 27th day of October, 2014, by G.T. Mallini

Personally Known

Type of Identification Produced _____

Judy A. Brumfield

Signature - Notary Public



STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 14-144 (Emergency Management-Severe Weather and Flash Flooding)

WHEREAS, between April 29 – April 30, a frontal system over Florida’s Panhandle and Big Bend regions produced heavy rainfall in excess of ten inches in some areas;

WHEREAS, the National Weather Service issued Flood or Flash Flood Warnings for both for Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay, Jackson, Calhoun, Gulf, Liberty, Franklin, Gadsden, Wakulla, Jefferson, Madison, Taylor, Hamilton, Suwanee, Lafayette, Dixie, Columbia, Gilchrist, Alachua, and Levy Counties;

WHEREAS, many Florida Panhandle rivers and streams are elevated as a result of heavy rainfall earlier this month;

WHEREAS, as a result of the recent rainfall, many Northwest and North Florida rivers are forecast to rise above flood stage and crest later in the week;

WHEREAS, some roadways are currently closed and it is anticipated that additional roadways along these rivers will be closed, traffic re-routed, and local evacuations may be necessary to protect residential communities along the waterways;

WHEREAS, as Governor, I am responsible to meet the dangers presented to this state and its people by this emergency; and,

WHEREAS, I am responsible for assisting the affected counties in recovering from these storms and to ensure that timely precautions are taken to protect these communities from the threat of additional severe weather in the coming days.

NOW, THEREFORE, I, RICK SCOTT, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida

Emergency Management Act, as amended, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. Because of the foregoing conditions, I declare that a state of emergency exists in Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay, Jackson, Calhoun, Gulf, Liberty, Franklin, Gadsden, Leon, Wakulla, Jefferson, Madison, Taylor, Hamilton, Suwanee, Lafayette, Dixie, Columbia, Gilchrist, Levy, and Alachua Counties.

Section 2. I designate the Director of the Division of Emergency Management as the State Coordinating Officer for the duration of this emergency and direct him to activate the State's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency. Pursuant to section 252.36(1)(a), Florida Statutes, I delegate to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(5)–(10), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Order, the State Coordinating Officer shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

A. Invoke and administer the Emergency Management Assistance Compact ("EMAC") (sections 252.921-933, Florida Statutes) and other compacts and agreements existing between the State of Florida and other states, and the further authority to coordinate the allocation of resources from such other states that are made available to Florida under such compacts and agreements so as best to meet this emergency.

B. Seek direct assistance and enter into agreements with any and all agencies of the United States Government as may be needed to meet the emergency.

C. Direct all state, regional and local governmental agencies, including law enforcement

agencies, to identify personnel needed from those agencies to assist in meeting the needs created by this emergency, and to place all such personnel under the direct command and coordination of the State Coordinating Officer to meet this emergency.

D. Designate Deputy State Coordinating Officers. The State Coordinating Officer shall have the authority to enter such orders as may be needed to implement any of the foregoing powers.

Section 3. I order the Adjutant General to activate the Florida National Guard for the duration of this emergency, and I place the National Guard under the coordination and direction of the State Coordinating Officer for the duration of this emergency.

Section 4. I also find that the special duties and responsibilities resting upon some State, regional, and local agencies and other governmental bodies in responding to the emergency may require them to waive or deviate from the statutes, rules, ordinances, and orders they administer. I delegate to the State and regional agencies the authority to waive or deviate from such statutes, rules, or agency orders to the extent that such actions are needed to cope with this emergency, including, but not limited to, any and all statutes, rules, or orders that affect budgeting, leasing, printing, purchasing, travel, conditions of employment, and the compensation of employees. I delegate to county, regional, and local governmental agencies the authority to likewise waive or deviate from their respective rules, ordinances, or orders. Any waiver of or deviation from statutes, rules, ordinances, or orders shall be by emergency rule or order in accordance with sections 120.54(4) and 252.46, Florida Statutes, and shall expire in thirty days from the date of this Executive Order, unless extended by the agency in increments not exceeding thirty days, and in no event shall remain in effect beyond the earlier of the date of expiration of this Order, as extended, or ninety (90) days from the date of issuance of this Order. All governmental agencies

exercising this authority in response to this emergency shall advise the State Coordinating Officer contemporaneously or as soon as is practicable.

Without limiting the generality of the foregoing, I order the following:

A. I give all agencies whose employees are certified by the American Red Cross as disaster service volunteers within the meaning of Section 110.120(3), Florida Statutes, the authority to release any such employees for such service as requested by the Red Cross to meet this emergency.

B. I authorize the Department of Transportation (DOT) to waive the collection of tolls and other fees and charges for the use of the Turnpike and other public highways, to the extent such waiver may be needed to provide emergency assistance or facilitate the evacuation of the affected counties; to reverse the flow of traffic or close any and all highways and portions of highways as may be needed for the safe and efficient transportation of evacuees to those counties that the State Coordinating Officer may designate as destination counties for evacuees in this emergency; to suspend enforcement of the registration requirements pursuant to sections 316.545(4) and 320.0715, Florida Statutes, for commercial motor vehicles that enter Florida to provide emergency services or supplies, to transport emergency equipment, supplies or personnel, or to transport FEMA mobile homes or office style mobile homes into or from Florida; to waive the hours of service requirements for such vehicles; and to waive by special permit the warning signal requirements in the Utility Accommodations Manual to accommodate public utility companies from other jurisdictions which render assistance in restoring vital services. The DOT shall also have the authority to waive the size and weight restrictions for divisible loads on any vehicles transporting emergency equipment, services, supplies, or felled timber for harvesting, allowing the establishment of alternate size and weight restrictions for all such vehicles for the duration of the emergency. In doing so, the DOT shall

issue permits and such vehicles shall be subject to such special conditions as the DOT may endorse on any such permits. Nothing in this Executive Order shall be construed to allow any vehicle to exceed weight limits posted for bridges and like structures, or relieve any vehicle or the carrier, owner, or driver of any vehicle from compliance with any restrictions other than those specified in this Executive Order, or from any statute, rule, order, or other legal requirement not specifically waived herein or by supplemental order by the State Coordinating Officer;

C. I authorize the Executive Director of the Department of Highway Safety and Motor Vehicles (DHSMV) to suspend the International Registration Plan requirements pursuant to section 320.0715, Florida Statutes, and the license fees or taxes imposed on vehicles pursuant to Chapter 207, Florida Statutes, as they relate to commercial motor vehicles that enter Florida to provide emergency assistance or services, or transport emergency equipment or personnel. Furthermore, the DHSMV shall have the discretion to waive fees for duplicate or replacement vehicle license plates, vehicle registration certificates, vehicle tag certificates, vehicle title certificates, handicapped parking permits, replacement drivers' licenses, and replacement identification cards and to waive the additional fees for the late renewal of or application for such licenses, certificates, and documents due to the effects of adverse weather conditions. In addition, the DHSMV is authorized to defer administrative actions and waive fees imposed by law for the late renewal or application for the above licenses, certificates, and documents, which were delayed due to the effects of adverse weather conditions, including in counties wherein the DHSMV has closed offices, or any office of the County Tax Collector that acts on behalf of the DHSMV to process renewals has closed offices due to adverse weather conditions. The DHSMV shall promptly notify the State Coordinating Officer when the waiver is no longer necessary.

D. In accordance with section 465.0275, Florida Statutes, pharmacists are authorized to dispense up to a 30-day emergency prescription refill of maintenance medication to persons who reside in an area or county covered under this Executive Order and to emergency personnel who have been activated by their state and local agency but who do not reside in an area or county covered by this Executive Order.

E. I give all State agency heads the authority to suspend the effect of any statute, rule, ordinance, or order, to the extent needed to procure any and all necessary supplies, commodities, services, temporary premises, and other resources, including, but not limited to, any and all statutes, rules, ordinances, or orders which affect budgeting, leasing, printing, purchasing, travel, and the condition of employment and the compensation of employees, but not limited to, any statute, rule, ordinance, or order shall be suspended only to the extent necessary to ensure the timely performance of disaster response functions as prescribed in the State Comprehensive Management Plan, or as directed by the State Coordinating Officer. Any waiver of statutes, rules, ordinances, or orders shall be by emergency rule or order in accordance with sections 120.54(4) and 252.46, Florida Statutes, and shall expire in thirty days from the date of this Executive Order, unless extended in increments of no more than thirty days by the agency, and in no event shall remain in effect beyond the earlier of the date of expiration of this Order, as extended, or ninety (90) days from the date of issuance of this Order.

F. I give all State agency heads responsible for the use of State buildings and facilities the authority to close such buildings and facilities in those portions of the State affected by this emergency, to the extent to meet this emergency.

G. I give all State agency heads the authority to abrogate the time requirements, notice requirements, and deadlines for final action on applications for permits, licenses, rates, and other approvals under any statutes or rules under which such application are deemed to be

approved unless disapproved in writing by specified deadlines, and all such time requirements that have not yet expired as of the date of this Executive Order are suspended and tolled to the extent needed to meet this emergency.

Section 5. All public facilities, including elementary and secondary schools, community colleges, state universities, and other facilities owned or leased by the state, regional or local governments that are suitable for use as public shelters shall be made available at the request of the local emergency management agencies to ensure the proper reception and care of all evacuees.

Section 6. I find that the demands placed upon the funds appropriated to the agencies of the State of Florida and to local agencies are unreasonably great and may be inadequate to pay the costs of coping with this disaster. In accordance with section 252.37(2), Florida Statutes, I direct that sufficient funds be made available, as needed, by transferring and expending moneys appropriated for other purposes, moneys from unappropriated surplus funds, or from the Budget Stabilization Fund.

Section 7. All State agencies entering emergency final orders or other final actions in response to this emergency shall advise the State Coordinating Officer contemporaneously or as soon as practicable.

Section 8. Medical professionals and workers, social workers, and counselors with good and valid professional licenses issued by states other than the State of Florida may render such services in Florida during this emergency for persons affected by this emergency with the condition that such services be rendered to such persons free of charge, and with the further condition that such services be rendered under the auspices of the American Red Cross or the Florida Department of Health.

Section 9. Pursuant to section 501.160, Florida Statutes, it is unlawful and a violation of section 501.204 for a person to rent or sell or offer to rent or sell at an unconscionable price within the area for which the state of emergency is declared, any essential commodity including, but not limited to, supplies, services, provisions, or equipment that is necessary for consumption or use as a direct result of the emergency.

Section 10. All actions taken by the Director of the Division of Emergency Management with respect to this emergency before the issuance of this Executive Order are ratified. This Executive Order shall expire sixty days from this date unless extended.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 30th day of April, 2014.

RICK SCOTT, GOVERNOR

ATTEST:

SECRETARY OF STATE

2014 APR 30 AM 7:38
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

FILED

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 14-200

(Emergency Management/Extension of Executive Order 14-144)

WHEREAS, the State of Florida continues to recover from the cumulative impact of the North Florida Severe Storms and Flooding Event that affected the Panhandle and Big Bend regions during the spring of this year; and

WHEREAS, on April 30, 2014, I issued Executive Order 14-144;

WHEREAS, Executive Order 14-144 will expire on June 29, 2014, unless extended; and

WHEREAS, the following counties continue to recover from the effects of the North Florida Severe Storms and Flooding Event: Alachua, Bay, Calhoun, Columbia, Dixie, Escambia, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Holmes, Jackson, Jefferson, Lafayette, Levy, Liberty, Madison, Okaloosa, Santa Rosa, Suwannee, Taylor, Wakulla, Walton, and Washington Counties.

NOW, THEREFORE, I, RICK SCOTT, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida Emergency Management Act, as amended, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. Because of the foregoing conditions, I declare that the effects of the North Florida Severe Storms and Flooding Event continues to threaten the State of Florida and as a consequence of this danger a state of emergency exists in the above listed Florida counties. Therefore, I extend Executive Order 14-144 for 30 days from the date of this Order, but only to the following extent:

A. I designate the Director of the Division of Emergency Management as the State Coordinating Officer for the duration of this emergency and direct him to execute (or activate??) the State's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency. Pursuant to section 252.36(1)(a), Florida Statutes, I delegate to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(5)-(10), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Order, the State Coordinating Officer shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

1. Invoke and administer the Emergency Management Assistance Compact ("EMAC") (sections 252.921-.933, Florida Statutes) and other compacts and agreements existing between the State of Florida and other states, and the further authority to coordinate the allocation of resources from such other states that are made available to Florida under such compacts and agreement so as best to meet this emergency.
2. Seek direct assistance from, and enter into agreements, with any and all agencies of the United States Government as may be needed to meet this emergency.
3. Direct all state, regional, and local governmental agencies, including law enforcement agencies, to identify personnel needed from those agencies to assist in meeting the needs created by this emergency, and to place all such personnel under the direct command and coordination of the State Coordinating Officer to meet this emergency.
4. Designate Deputy State Coordinating Officers.
5. Enter into such orders as may be needed to implement any or all of the foregoing powers.

B. I also find that the special duties and responsibilities resting upon the Division of Emergency Management and the Department of Transportation in responding to this emergency may require those agencies to waive or deviate from the statutes, rules, and orders that they administer. Accordingly, I delegate to the Division of Emergency Management and the Department of Transportation the authority to waive or deviate from such statutes, rules, or agency orders to the extent that such actions are needed to cope with this emergency, including, but not limited to, any and all statutes, rules, or orders that affect budgeting, leasing, printing, purchasing, travel, conditions of employment, and the compensation of employees.

Section 2. This Executive Order shall expire 30 days from this date, unless extended.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 25th day of June, 2014.

[Handwritten Signature]
GOVERNOR

ATTEST:

[Handwritten Signature]
SECRETARY OF STATE

FILED
2014 JUN 25 PM 5:05
TALLAHASSEE, FLORIDA
SECRETARY OF STATE


Planning & Development Services

PO Box 490
 Gainesville, FL 32602-0490
 352-334-5022
 352-334-2648 (fax)
www.cityofgainesville.org

February 15, 2010

John E. Poppell
 University of Florida
 P.O. Box 113100
 Gainesville, FL 32611-3100

RE: Request for 2-Year Extension (2009 SB 360) for Oak Hammock at the University of Florida, Inc. (Phase II and transportation concurrency) (City Petition Number: 184PDA-04PB; Ordinance No.: 040665)

Dear Mr. Poppell:

Please be advised that the City of Gainesville has approved a 2-year extension for the Oak Hammock Phase II Planned Development (PD) and the transportation concurrency associated with Phase II (City Petition Number 184PDA-04PB) under the terms stated in 2009 Senate Bill 360 and Ordinance 090228, adopted by the City of Gainesville on September 17, 2009. The expiration date stated in the PD Ordinance (see Condition 19 in Ordinance Number 040665 for Oak Hammock) is May 9, 2011 (72 months from May 9, 2005). The extension granted is for exactly 2 years from the expiration date stated in the PD ordinance. The new expiration date for Oak Hammock Phase II and associated transportation concurrency is May 9, 2013. This is the only extension to be granted under the terms of Ordinance 090228, and it is for Phase II of the project and associated transportation concurrency.

Phase II of the project is required to submit an application for development plan review with the City of Gainesville prior to May 9, 20103 under the terms of the PD extension.

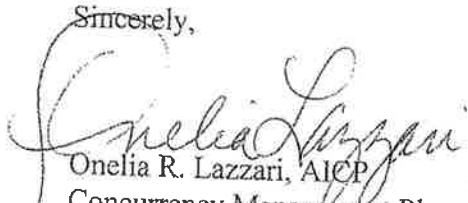
All of the other terms and conditions of the original PD approval (as shown in Ordinance 040665) remain in effect along with the transportation concurrency approval (mitigation for trips was required and paid for Phase II based on the agreement with Alachua County dated 7/8/02; see OR Book 2480, page 1390).

The conditions related to the approval of the final PD for Oak Hammock Phase II are shown in the attached PD ordinance. A copy of the fully executed transportation mitigation agreement is also attached, along with a receipt letter issued by the Regional Transit System.

This letter provides the new expiration date and proof of meeting the transportation concurrency mitigation requirements through the new expiration date for the Oak Hammock Phase II project. Please keep this in your files as proof of the extension.

If you need further information, please contact me at (352) 393-8694.

Sincerely,


Onelia R. Lazzari, AICP
Concurrency Management Planner

xc: Catherine Ferguson, CEO Oak Hammock at the University of Florida, Inc.

Attachments:
PD Ordinance 040665
Agreement between Alachua County & Oak Hammock
Letter of receipt for transit payment from Jeff Logan

ORDINANCE NO. 040665
0-05-21

An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as "Oak Hammock at the University of Florida, A Continuing Care Retirement Community"; located at 5100 S.W. 25th Boulevard; by amending the conditions adopted by Alachua County Resolution No. Z-00-4; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, the City Plan Board authorized the publication of notice of a Public Hearing, and the petitioner has petitioned the City to amend the planned development commonly known as "Oak Hammock at the University of Florida"; and

WHEREAS, notice was given and publication made as required by law of a Public Hearing which was then held by the City Plan Board on December 2, 2004; and

WHEREAS, notice was given and publication made of a Public Hearing which was then held by the City Commission on January 24, 2005; and

WHEREAS, the City Commission finds that the amendment of the Planned Development District ordinance is consistent with the City of Gainesville 2000-2010 Comprehensive Plan.

WHEREAS, at least ten (10) days notice has been given once by publication in a newspaper of general circulation prior to the adoption public hearing notifying the public of this proposed ordinance and of a Public Hearing in the City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville; and

WHEREAS, Public Hearings were held pursuant to the published and mailed notices described at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

Petition No. 184PDA-04B

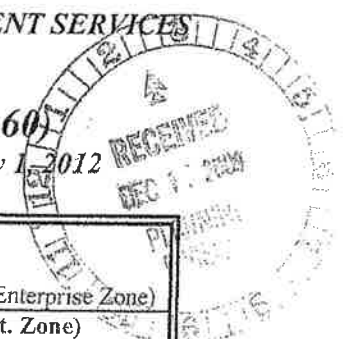


DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES

REQUEST FOR TWO-YEAR EXTENSION (SB 360)

For final development orders expiring between September 1, 2008 and January 1, 2012

This application must be filed before December 31, 2009



OFFICE USE ONLY	
Petition No. 184PDA-044B	Date _____ FEE: \$48.75 (\$24.38 Enterprise Zone)
<input checked="" type="checkbox"/> Account No. 001-670-6710-3405	<input type="checkbox"/> Account No. 001-670-6710-1124 (Ent. Zone)
	<input type="checkbox"/> Account No. 001-670-6710-1125 (Ent. Zone Credit)

Owner(s) of Record (please print)	
Name:	Oak Hammock at the University of Florida, Inc.
Address:	5100 SW 25 th BLVD Gainesville, Florida 32608
E-mail Address:	cferguson@oakhammock.org
Phone:	(352) 548 - 1000
Fax:	(352) 548 - 1015

Agent Authorized to Act on Owner Behalf*	
Name:	John E. Poppell
Address:	P.O. Box 113100 Gainesville, Florida 32611-3100
E-mail Address:	poppell@ufl.edu
Phone:	(352) 392 - 1336
Fax:	(352) 392 - 6278

*Attach notarized authorization for agent to act on owner's behalf if not on file, or if authorization has expired

PROJECT INFORMATION	
1. Project Name	Oak Hammock at the University of Florida, A Continuing Care Retirement Community
2. Original Petition Number	184PDA-04B (City of Gainesville Ordinance No. 040665)
3. Street address	5100 S.W. 25 th Boulevard
4. Tax parcel(s)	07176-018-000
5. Date Development Order expires**	May 9, 2011
6. Type of Development Order (e.g. SUP, development plan)**	Preliminary Development Plan
7. What is the anticipated timeframe for acting on this extension?	Prior to May 9, 2013

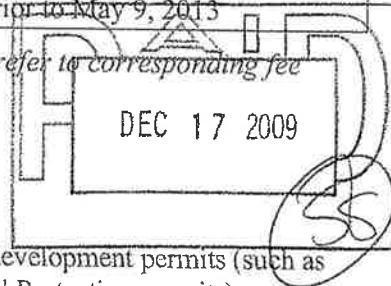
**Please submit a separate Public Records Request form if needed and refer to corresponding fee

Please attach the following:

A copy of the final development order

Please check to acknowledge the following:

- It is the applicant's responsibility to apply for extensions of all related development permits (such as water management district permits and/or Department of Environmental Protection permits)
- The new expiration date will be exactly 2 years from the date of expiration of the existing development order
- A request for an extension is not granted until approved by planning staff as indicated on page two and under the conditions listed in the attached letter. The extension is only applicable to the development order issued by the Planning Department.



(Please continue on page two)

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) shown in question 4 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 will be accepted only with notarized proof.

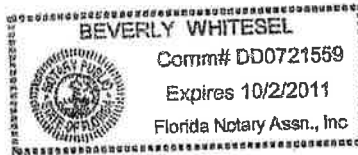
[Signature]
Owner/Agent Signature
Date 12/17/09

STATE OF FLORIDA
COUNTY OF Alachua

Sworn to and subscribed before me this 17th day of December 2009
by (Name) John E. Poppe II

[Signature]
Signature - Notary Public

Personally Known OR Produced Identification (Type)



STAFF USE ONLY

Approved Pending Additional Information Denied

Letter attached

Reviewing Planner: ONELIA LAZZARI Planner Signature: [Signature] Date: 2/15/10

Comments: Conditions of approval for Oak Hammock Phase II are in ORD # 0406654 remain in effect for this extension. Extension is for Phase II only & the associated transportation concurrency. Please refer to attachments for full details.

The new expiration date is May 09, 2013.

AD-10-149

December 22, 2010

Catherine Ferguson
5100 SW 25th Boulevard
Gainesville, FL 32680

RE: Request for 2-Year Extension (2010 SB 1752) for Oak Hammock at the University of Florida, Inc. (Phase II and transportation concurrency) (City Petition Number: 184PDA-04PB; Ordinance No.: 040665)

Dear Ms. Ferguson:

Please be advised that the City of Gainesville has approved a 2-year extension for the Oak Hammock Phase II Planned Development (PD) and the transportation concurrency associated with Phase II (City Petition Number 184PDA-04PB) under the terms stated in 2010 Senate Bill 1752 and Ordinance 100097, adopted by the City of Gainesville on September 16, 2010. The expiration date stated in the PD Ordinance (see Condition 19 in Ordinance Number 040665 for Oak Hammock) is May 9, 2011 (72 months from May 9, 2005). As stated in 2010 SB 1752, an SB 1752 extension is in addition to the extension provided by the 2009 Senate Bill 360. The extension granted this PD for 2009 SB 360 was for exactly 2 years from the expiration date stated in the PD ordinance. The new expiration date for Oak Hammock Phase II and associated transportation concurrency is May 9, 2013 under the Senate Bill 360 extension. The SB 1752 extension grants an additional 2 years from that date, to make the final expiration date May 9, 2015. This is the only extension to be granted under the terms of Ordinance 100097, and it is for Phase II of the project and associated transportation concurrency.

Phase II of the project is required to submit an application for development plan review with the City of Gainesville prior to May 9, 2015 under the terms of the PD extension with the SB 1752 extension unless 2009 SB 360 is invalidated. In that case, the application would have to be submitted prior to May 9, 2013. Please see the next paragraph for the full explanation.

There is ongoing litigation over 2009 SB 360, and if it is invalidated, there is a provision in Ordinance 100097 that handles that situation. "For Development Orders or Building Permits that receive both SB 360 and SB 1752 extensions, in the event of the invalidation of the SB 360 extension and absent the granting of extraordinary hardship exception as provided in Ordinance No. 090228, any Senate Bill 1752 extension granted pursuant to

this ordinance shall "fall back" and take the place of the invalidated SB 360 extension." Thus, if 2009 SB 360 is invalidated, the final development order for this PD would "fall back" to the expiration date of May 9, 2013.

All of the other terms and conditions of the original PD approval (as shown in Ordinance 040665) remain in effect along with the transportation concurrency approval (mitigation for trips was required and paid for Phase II based on the agreement with Alachua County dated 7/8/02; see OR Book 2480, page 1390).

The conditions related to the approval of the final PD for Oak Hammock Phase II are shown in the attached PD ordinance. A copy of the fully executed transportation mitigation agreement is also attached, along with a receipt letter issued by the Regional Transit System.

This letter provides the new expiration date and proof of meeting the transportation concurrency mitigation requirements through the new expiration date for the Oak Hammock Phase II project. Please keep this in your files as proof of the extension.

If you need further information, please contact me at (352) 393-8694.

Sincerely,

Onelia R. Lazzari, AICP
Principal Planner

Attachments:
PD Ordinance 040665
Agreement between Alachua County & Oak Hammock
Letter of receipt for transit payment from Jeff Logan



DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES

REQUEST FOR TWO-YEAR EXTENSION (SB 1752)

For final development orders expiring between September 1, 2008 and January 1, 2012

This application must be filed on or before 8:00a.m. January 3, 2011

OFFICE USE ONLY	
Petition No. <u>AD-10-149</u>	Date <u>12/22/10</u> FEE: <u>\$48.75</u> (\$24.38 Enterprise Zone)
<input checked="" type="checkbox"/> Account No. <u>001-670-6710-3405</u> <u>001-660-6680-3405</u>	<input type="checkbox"/> Account No. 001-670-6710-1124 (Ent. Zone)
	<input type="checkbox"/> Account No. 001-670-6710-1125 (Ent. Zone Credit)

Owner(s) of Record (please print)	
Name:	Oak Hammock at the University of Florida, Inc.
Address:	5100 SW 25th Blvd Gainesville, Florida 32608
E-mail Address:	<u>cferguson@oakhammock.org</u>
Phone:	(352) 548-1000
Fax:	(352) 548-1015

Agent Authorized to Act on Owner Behalf*	
Name:	Catherine Ferguson
Address:	5100 SW 25th Blvd Gainesville, Florida 32608
E-mail Address:	<u>cferguson@oakhammock.org</u>
Phone:	(352) 548-1000
Fax:	(352) 548-1015

*Attach notarized authorization for agent to act on owner's behalf if not on file, or if authorization has expired

PROJECT INFORMATION	
1. Project Name	Oak Hammock at the University of Florida, A Continuing Care Retirement Community
2. Original Petition Number	184PDA-04B (City of Gainesville Ordinance No. 040665)
3. Street address	5100 SW 25 th Boulevard, Gainesville, Florida 32608
4. Tax parcel(s)	07176-018-000
5. Date Development Order expires**	May 9, 2011
6. Type of Development Order (e.g. SUP, development plan)**	Preliminary Development Plan
7. What is the anticipated timeframe for acting on this extension?	Prior to May 9, 2013

**Please submit a separate Public Records Request form if needed and refer to corresponding fee

Please attach the following:

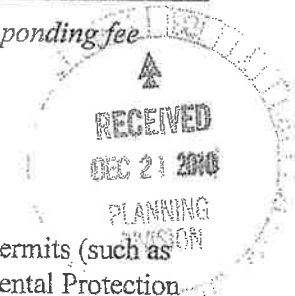
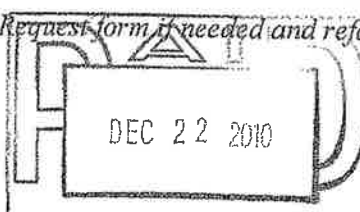
A copy of the final development order

Please check to acknowledge the following:

It is the applicant's responsibility to apply for extensions of all related development permits (such as building permits, water management district permits and/or Department of Environmental Protection permits)

The new expiration date will be exactly 2 years from the date of expiration of the existing development order

A request for an extension is not granted until approved by planning staff as indicated on page two and under the conditions listed in the attached letter. The extension is only applicable to the development order issued by the Planning Department.



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) shown in question 4 is/are the true and proper identification of the area for which the extension request is being submitted. Signatures of all owners or their agent are required on this form. Signatures will be accepted only with notarized proof.

Catherine Ferguson
Owner/Agent Signature

Catherine Ferguson
Print or Type Owner/Agent Name

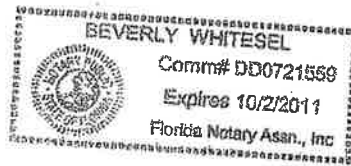
12-14-10
Date

STATE OF FLORIDA
COUNTY OF Alachua

Sworn to and subscribed before me this 14 day of December 2010,
by (Name) Catherine Ferguson.

Beverly Whitezel
Signature - Notary Public

Personally Known OR Produced Identification (Type) _____



****STAFF USE ONLY****

Approved Pending Additional Information Denied

Letter attached

Reviewing Planner: Ornelia Lazzari Planner Signature: Ornelia Lazzari Date: 12/22/10

Comments: Conditions of approval for Oak Hammock Phase II are in Ordinance 040665 & remain in effect for this extension. Extension is for Phase II only and the associated transportation concurrency. Please refer to attachments for full details.

The ~~new~~ new expiration date is May 9, 2015 unless 2009 SB 360 is invalidated. If that occurs, the expiration date is May 9, 2013.

Exhibit A-2

Proposed Revised Conditions – Oak Hammock Planned Development (PD)

The proposed, revised PD Conditions (in existing Ordinance No. 040665) – Oak Hammock Planned Development are as follows:

1. Per the submitted ~~Zoning Master~~ PD Layout Plan, the development shall not exceed ~~100~~ 94 Independent Living Unit attached/detached home sites, and 300 Independent Living Unit apartments, 60 Assisted Living Facility units, 24 Memory Impaired units, and ~~60~~ 73 Skilled Nursing units contained in a multi-use building. The multi-use building shall not exceed a total square footage of ~~1,087,000~~ 1,098,400 square feet, with a maximum building foot print of ~~369,000~~ 380,400 square feet, and with a maximum height of 5 stories, or 70 feet from the finished floor to the top of the roof, including basement parking. The building may be divided into the following maximum square footages and story levels:
 - a. The 1 story portion containing 60 Assisted Living Facility units, 24 Memory Impaired units, and ~~60~~ 73 Skilled Nursing units shall be a maximum of ~~111,000~~ 122,400 square feet of floor area and 30' in height from the finished floor to the top of the roof.
 - b. The 2 story portion containing the Independent Living Common Healthplex shall be a maximum of 86,000 square feet and 70' in height from the finished floor to the top of the roof.
 - c. The 5 story portion containing 300 Independent Living apartment units and basement parking shall be a maximum of 890,000 square feet and 70' in height from the finished floor to the top of the roof.

The Development Review Board or other appropriate approval entity may allow minor variations in square footage and building height provided that the maximum number of units is not exceeded.

The general location and boundaries of defined uses, private streets, trails, undisturbed areas, and all other elements of the PUD, shall be in accordance with the ~~Zoning Master~~ PD Layout Plan. The Development Review Board or other appropriate approval entity may allow minor variations in locations provided that the overall intent of the ~~Zoning Master~~ PD Layout Plan is maintained.

2. ~~Preliminary and final~~ Development plan approval in accordance with the Land Development Code shall be required.
3. Individual services facilities for the residents of the PUD, such as dining facilities, beauty salon/barber shop, wellness center, etc., ~~but excluding sheltered nursing home beds as~~

~~defined in Florida Statutes 651.118,~~ shall not be open to the general public except occasional use by guests of residents, nor have any outside advertising.

4. Specific buffers and setbacks appropriate to the phase shall be in place prior to issuance of a certificate of occupancy. The following buffers and setbacks shall be required and maintained:
 - a. Along the south property lines: a minimum 75'-wide buffer. This buffer shall be a high-density combination of existing natural vegetation augmented if necessary to provide sufficient opacity, as determined by the Development Review ~~Committee~~ Board, with canopy and understory trees from the ~~attached~~ Acceptable Tree Species Gainesville tree list in the Land Development Code, shrubs, and evergreen/conifers. A 150' setback for the multi-story building shall be maintained along the south property lines.
 - b. Along the north and east property lines, as shown on the ~~Zoning Master PD~~ Layout Plan, where development is adjacent to the property lines: a minimum 25'-wide buffer. This buffer shall be a high-density combination of existing natural vegetation augmented if necessary to provide sufficient opacity, as determined by the Development Review ~~Committee~~ Board, with canopy and understory trees from the ~~attached~~ Acceptable Tree Species Gainesville tree list in the LDC, shrubs, and evergreens/conifers.
 - c. ~~All other building setbacks shall be as specified in the proposed Tab 2 of the PUD application.~~ The Development Review ~~Committee~~ Board or other appropriate approval entity may allow minor variations in building setbacks at time of development plan review.
5. Total parking for the PUD shall be 642 spaces, 300 of which shall be ~~located as proposed,~~ as basement parking under the multi-use building. Any golf cart parking shall be grassed parking. Tree plantings and islands for surface parking shall be provided at a minimum of an average of every 7 parking spaces in order to break up large areas of parking. Where the parking is a single row, sidewalk and parking tree canopy coverage may be shared in lieu of islands, provided 50% tree canopy coverage of both parking area and the sidewalk is met. Surface parking areas shall be landscaped consistent with the principles of xeriscaping, and with an emphasis on use of native species. Non-invasive, non-native species may be used to supplement native plantings. Tree canopy coverage of a minimum of 50% of the surface parking area shall be required within 20 years of development. A minimum of 20% of the total developed area of the site shall be landscaped. A minimum of 40% of the initial tree canopy of delineated tree canopy conservation areas of the site shall be retained. A minimum of 50% of delineated tree canopy conservations areas of the site shall be underneath tree canopy in 20 years' time.

6. A sidewalk on the east side of S.W. 29th Drive (County Road) has been constructed with the completed Phase I connecting the Oak Hammock internal sidewalk/trail system with a sidewalk along Williston Road. Oak Hammock is not responsible to construct any additional sidewalk on S.W. 29th Drive and S.W. 25th Terrace. Tree canopy coverage of a minimum of 50% of each walking trail, bike/pedestrian path, and sidewalk within the PUD shall be required within 20 years of development.
7. A private transit system shall be provided for off-site and on-site travel and service to nearby RTS bus stops.
8. Signage identifying the PUD shall not exceed 2 monument-type signs, within a landscaped area, limited to a sign structure 7' in height above grade and 6' in width, with a sign face not exceeding 5' in height above grade. One sign may be located at an eastern PUD entrance, and one sign may be located at a western PUD entrance. A third monument-type sign identifying the PUD and with the same dimensional restrictions as the two other monument-type signs may be located at the eastern Williston Road connection, ~~consistent with the sign rendering shown in Exhibit B.~~ No internally illuminated signs shall be permitted.
9. Stormwater facilities shall be shallow basin, and designed and integrated into the landscape/buffering system as an amenity. Basins shall be vegetated with appropriate trees and, if necessary, understory planting, and designed in such a way as to take on a naturalistic appearance. ~~The stormwater basin located in the 200 Year Flood Plain and incorporating a lake shall be designed in conjunction with both the University of Florida Center for Wetlands and the Alachua County Environmental Protection Department.~~
10. The owner/developer shall comply with all federal, state, and local laws, rules, regulations, and ordinances, ~~notw~~ and hereafter in force, which may be applicable to the use of the site. Any uncured violation after notice of the breach of the terms and conditions of the Planned Unit Development shall be grounds for suspension or revocation by the ~~Board of County Commissioners~~ City Commission. Concurrency and transportation mobility requirements for roads, parks, drainage, stormwater management, solid waste, water and sewer, and mass transit shall be met as a condition of ~~final~~ development plan approval.
11. ~~The eastern connection, S.W. 25th Terrace, has been completed with Phase I. Oak Hammock is allowed to perform a traffic signal warrant analysis at the intersection of Williston Road and S.W. 25th Terrace to determine if a signalization traffic signal is warranted. The signal warrant study shall be conducted in accordance with requirements established by the Florida Department of Transportation. The Florida Department of Transportation has jurisdictional responsibility for Williston Road (SR 331) and has final approval as to whether or not a traffic signal is permitted and installed. Even if the proposed signal meets warrants for installation, the Florida Department of Transportation is not obligated to approve a permit for its installation. If the Florida Department of Transportation does issue a permit for~~

~~installation of the signal, the signal installation must meet all requirements of the Florida Department of Transportation as well as the traffic signal design standards of the City of Gainesville and the Gainesville Metropolitan Transportation Planning Organization. Oak Hammock must pay for the design and installation of the traffic signal, all costs to install the necessary communication equipment required to include this signal and its subsystem into the Gainesville Computerized Traffic Signal System Master Plan, all costs required to modify any other existing signals that are included in the same signal subsystem to meet the specifications of the Signal Master Plan and all costs to establish traffic signal timings for the new signal and retiming of the traffic signal subsystem as required by the Florida Department of Transportation and City of Gainesville Public Works Department Transportation Services Division. The owner/developer may be required to interconnect the signal with existing signal(s) that may or may not be part of the existing Computerized Traffic Management Plan. The owner/developer will be responsible for designing, purchasing, and installing the necessary equipment to make the subsystem functional.~~

11. The western connection, S.W. 29th Drive, has been completed with Phase I. The security gate improvements have been completed and no other western connections are proposed for Phase II.
12. To assist in offsetting the impacts of this development, additional mass transit access, as indicated in the traffic study, must be provided in this area. This would include the extension of one or more of the existing RTS routes to the site. The applicant may provide for additional funding to RTS as ~~traffic~~ transportation mitigation for the impacts to surrounding road network or such other mitigation as determined by ~~DRC~~ the City. Oak Hammock has provided funding to RTS in satisfaction of this condition. No other ~~traffic~~ transportation mitigation is required for future Phase II.
13. A portion of S.W. 25th Terrace (the easterly entrance road to Oak Hammock) has been conveyed to the City for right-of-way purposes. The easterly extension of S.W. 25th Terrace (~~described as "Proposed County Road R/W and adjacent to Parcel B)~~ that will connect to the approximately 70 acres east of and adjacent to Oak Hammock shall be constructed at some time in the future to serve the adjacent development. Oak Hammock shall have no responsibility to construct and maintain said road. The exact alignment through Oak Hammock property shall be determined at the time of ~~final~~ development plan approval of Phase II as long as it falls within the 30 mph design speed standards for S.W. 25th Terrace. Oak Hammock shall convey the required right-of-way, not exceeding 60 feet in width to the City of Gainesville, at no cost or charge to the City for the right-of-way, upon demand by the City. In the event Oak Hammock, its successors or assigns, fails to convey said right-of-way, the City will have the right to seek injunctive relief to obtain said deed, and Oak Hammock, its successors or assigns, shall pay the City's attorneys fees and costs.

14. ~~As of April 2005, Development within~~ Phase I has been ~~completed~~ approved. Phase II is approved for a period of ~~72~~ 120 months from ~~May 9, 2005~~ February 3, 2016, and this development order shall terminate if a complete or substantially complete development plan is not filed with the City within the ~~72~~ 120-month period.
15. Oak Hammock reserves the right to grant interconnectivity access to tax parcels 7176-1 and 7176-5 at a location on the west side of S.W. 25th Terrace approximately 250 feet south of Williston Road.
16. Within the 150' Density Setback Line, the character of proposed development shall be similar in character to development in the adjacent residentially-zoned properties with regard to building height and housing type.

Exhibit A-3 Comprehensive Plan GOPs

Future Land Use Element

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

Office

The Office land use category identifies areas appropriate for office and residential uses. This category is intended to identify appropriate areas for professional and service uses, hospital and medical uses, compound and residential uses, and appropriate ancillary uses. Office designations shall be applied to compact office development. Residential uses in office districts shall be designed as new in-town development, mixed-use, live-work, compound use or shall accommodate existing residential development within the district. Densities shall not exceed 20 units per acre. Land development regulations shall determine the appropriate scale of uses; and the specific criteria for the siting of private schools and churches. Intensity will be controlled by adopting land development regulations that establish height limits of 5 stories or less, that require buildings to face the street, and modest build-to lines, instead of a maximum floor area ratio; however, height may be increased to a maximum of 8 stories by special use permit.

Objective 4.2

The City shall implement regulations that will protect low-intensity uses from the negative impacts of high-intensity uses and provide for the healthy coexistence and integration of various land uses.

Policy 4.2.1

The City shall adopt land development regulations that provide protection for adjacent residential areas and low intensity uses from the impacts of high intensity uses by separating intense uses from low-intensity uses by transitional uses and by performance measures. Performance measures shall address the buffering of adjacent uses by landscape, building type and site design. Regulation of building type shall insure compatibility of building scale, and overall building appearance in selected areas. Regulation of site design shall address orientation. Such regulation shall also include arrangement of functions within a site, such as parking, loading, waste disposal, access points, outdoor uses and mechanical equipment; and the preservation of site characteristics such as topography, natural features and tree canopy.

Objective 4.9

A Special Area is established for the Idylwild/Serenola area which shall be subject to the policies and standards contained in this Section. Portions of the Idylwild/Serenola area that are not currently within city limits shall be subject to these policies and standards at such time as they may be annexed into the city.

Policy 4.9.1

The intent of this Special Area is to establish specific guidelines for the area identified as Idylwild/Serenola, generally bounded by Archer Road to the north, SW 13th Street to the east, Paynes Prairie to the south and east, and SW 34th Street and Interstate 75 to the west. Only a small portion of this area is currently within city limits and subject to these standards. To help with identification of the area and specific areas described herein, an Idylwild/Serenola Special

Area map (Special Area Study: Idylwild/Serenola in the Future Land Use Element map series), is incorporated by reference. Except where modified by the policies herein, all policies of the Plan shall be applicable within the special area. Where the specific policies conflict with general policies in the remainder of the plan, it is the intent that the policies herein shall prevail.