

APPLICATION—CITY PLAN BOARD
Planning & Development Services

OFFICE USE ONLY	
Petition No. <u>PZ-09-00037</u>	Fee: \$ _____
1 st Step Mtg Date: _____	EZ Fee: \$ _____
Tax Map No. _____	Receipt No. _____
Account No. 001-670-6710-3401 []	
Account No. 001-670-6710-1124 (Enterprise Zone) []	
Account No. 001-670-6710-1125 (Enterprise Zone Credit []	

Owner(s) of Record (please print)	
Name: <u>City Plan Board</u>	
Address: _____	
Phone: _____	Fax: _____
(Additional owners may be listed at end of applic.)	

Applicant(s)/Agent(s), if different	
Name: _____	
Address: _____	
Phone: _____	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 []	Zoning Map [<input checked="" type="checkbox"/>]	Master Flood Control Map []
Present designation: _____	Present designation: <u>I-2, I-1</u>	Other [] Specify: _____
Requested designation: _____	Requested designation: <u>PS</u>	

INFORMATION ON PROPERTY

1. Street address: <u>900 SE 4th Street</u>
2. Map no(s): <u>4152</u>
3. Tax parcel no(s): <u>16004-000-000 & 15706-000-000</u>
4. Size of property: <u>App. 34</u> 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:

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

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

A. What are the existing surrounding land uses?

North MU-H

South Industrial

East PF, Industrial

West Industrial

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

NO

YES _____ If yes, please explain why the other properties cannot accommodate the proposed use?

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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:

Residential streets *No residential streets are adjacent.*

Noise and lighting *No residential use adjacent to property.*

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 (If yes, please explain below)

Property does have identified wetland areas, which will be part of the stormwater park to be created as part of the cleanup of the site.

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

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

NO YES

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

NO 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):

Redevelopment Urban Infill
Activity Center Urban Fringe
Strip Commercial Traditional Neighborhood

Will provide greenspace and stormwater treatment in the downtown area.

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

The greenspace and stormwater treatment will improve the environment and provide an economic boost to the central city. It will improve the aesthetics of the community.

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

Increased opportunities for business development with the elimination of environmental contamination. Historic preservation efforts, recreation opportunities and museum displays could draw tourists, providing more business opportunities.

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

Roadways May increase traffic to the area, which is in TCEA Zone A, the least traffic impacted TCEA area.

Recreation Will increase recreation level of service

Water and Wastewater None

Solid Waste None

Mass Transit May increase ridership to this location.

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

NO YES (please explain)

RTS Bus facility is across the street. Rail-trail runs through the property. Location near downtown and the existing sidewalk facilities encourage pedestrian activity to and from the park.

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).

Owner of Record	
Name:	
Address:	
Phone:	Fax:
Signature:	

Owner of Record	
Name:	
Address:	
Phone:	Fax:
Signature:	

Owner of Record	
Name:	
Address:	
Phone:	Fax:
Signature:	

Owner of Record	
Name:	
Address:	
Phone:	Fax:
Signature:	

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

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

Jason Simmons
Owner/Agent Signature

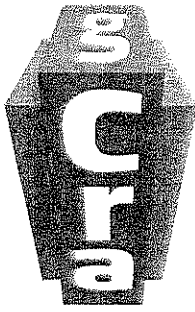
Date

STATE OF FLORIDA
COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____, 20____, by (Name)

Signature – Notary Public

Personally Known ____ OR Produced Identification ____ (Type) _____



Gainesville Community Redevelopment 081040C

Agency

300 E. University Avenue • Suite 240
Station 48 • P.O. Box 490
Gainesville, Florida 32602-0490
Phone: (352) 334-2205
Fax: (352) 334-2132

Memo

To: Ralph Hilliard, Planning Manager
From: Kelly Huard Fisher, Project Coordinator - Neighborhood Planning
Cc: Diane Bennett, CRA Engineer;
Matt Dube, CRA Operating Manager;
File
Date: 1-14-2009
Re: Depot Park zoning changes

Ralph, as a follow-up to our December 16th meeting regarding zoning and land use at Depot Park, I have compiled a list of anticipated uses for the park. As discussed in our meeting, please utilize this information to initiate a rezoning of this City-owned property (parcel # 16004-000-000) from General Industrial (I-2) to Public Services (PS) zoning classification. Potential anticipated uses are as follows:

- Stormwater retention and treatment (this relates to the function of the two ponds located at the site. One pond is currently built, the second pond will be constructed after environmental remediation is complete);
- Depot building – potential museum/display space, civic space, office space, food shop, recreational equipment rentals, retail;
- Museum (Cade Museum) – museum, restaurant, retail, catering/events (including liquor sale/consumption), amphitheatre and outdoor performance;
- Parking;
- Playgrounds, playing fields/courts, trails, boardwalks, gardens, and other active and passive recreation amenities;
- Outdoor events, including concerts, cultural events, athletic events, and temporary events such as festivals, displays, demonstrations, etc. (these could be a secondary uses, under the primary uses of Park and Museum)
- Public art
- Restroom facilities

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- Police substation
- Street vendors, artists
- Community center or senior center
- Animal-related recreation uses (example: bird aviary, special museum exhibits, etc)

Please review this list and let me know if you have any questions. Additionally, please inform the planner assigned to this application that CRA staff is happy to work with Planning staff to assist with the rezoning process in any way possible. Finally, as we discussed at our meeting, the underlying Land Use at this site is currently Industrial, and will require reclassification as well. Due to the size of the site (approx. 33 acres), updating the Land Use will require a large scale Comprehensive Plan amendment. Please keep CRA staff updated as to the opening of the next large scale amendment cycle so that this project may be included.

Please do not hesitate to contact me at 334.2205 (direct line 334.2011) to discuss the matter further. Thanks!

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Simmons, Jason A.

From: Fisher, Kelly H.
Sent: Monday, March 16, 2009 5:46 PM
To: Fisher, Kelly H.; Simmons, Jason A.
Cc: Bennett, Diane W.; Dube', Matthew B.
Subject: RE: Depot Park rezoning

Jason,

Matt pointed out an error in my email below. I meant to say that we would request 10 feet as the largest *minimum* required building setback distance; however buildings should be allowed to have larger setbacks, should that be needed. (and obviously the Depot Building area would be its own separate issue.) Sorry for the confusion!

Kelly

Kelly Huard Fisher
Project Coordinator-Neighborhood Planning
Gainesville Community Redevelopment Agency
300 East University Ave, Suite 240
Gainesville, Florida 32601
Phone: 352.334.2205 | Fax: 352.334.2132
www.gainesvillecra.com

FYI: Under Florida's public records law, most written communications to or from City officers and employees regarding City business are public records and are available to the public upon request. Your e-mail communications may be subject to public disclosure.

From: Fisher, Kelly H.
Sent: Monday, March 16, 2009 1:10 PM
To: Simmons, Jason A.
Cc: Bennett, Diane W.; Dube', Matthew B.
Subject: Depot Park rezoning

Jason,

After our discussion the other day, I have reviewed the list of uses permitted by right under the PS zoning district and I think it would be prudent to include the following items in the rezoning ordinance for Depot Park, along with the other uses previously identified for the site in my original memo. I do not believe that all of these uses will be pursued at this time, but they may be considered at some future date, so I would like to make sure the zoning can accommodate them. Here are the numbers for the uses, as found in section of the PS section of the Land Development Code, Section C – Uses permitted by Right: 1, 3, 4, 7, 11, 12, 15, 16, 17, 19, and 23.

Additionally, we had discussed setbacks for the site. We request a maximum building setback of 10 feet, for all buildings on the site, and no setback for landscape elements/other park features. These setbacks would apply to all areas of the site other than the context area for the Depot Building, which will be prescribed by the State Historic Preservation Office. Unfortunately, I cannot give an exact number for their setback requirement, as it is a fairly complicated formula they have used to define the Depot Building context site. If you would like, either Diane Bennett or I can call and explain these guidelines to you (it is way too complicated to try to explain over email!)

Finally, the minutes and sign-in sheet from the workshop are attached. As always, just shoot me a line if any questions arise.

Thanks!

Kelly Huard Fisher
Project Coordinator-Neighborhood Planning
Gainesville Community Redevelopment Agency
300 East University Ave, Suite 240
Gainesville, Florida 32601
Phone: 352.334.2205 | Fax: 352.334.2132
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Parcel# 15706-000-000 (approx. ~~5.74~~^{.574} acres)

COM SE COR NE1/4 N 865.22 FT TO RR POB W ALG R/W 156.42 FT N 510.3 FT N 41 DEG E
1036.7 FT TO SE 4TH ST S ALG R/W 164.34 FT TO S SIDE VEITCH ST W ALG VEITCH ST 976 FT
S 27 DEG E/ 89.67 FT TOE LINE SEC S ALG SEC LINE 371.04 FT POB ALSO BEING PT OF SEC 9-
10-20 OR 838/968 ALSO BAL OF TRIANGLE LOT E OF VEITCHS ST & BETWEEN MAIN &
SPUR TRACKS OR 833/412 LESS AM BOX CO OR 1253/0066 LESS RR TRACKS IN USE ALSO
INCLUDES SPUR TRACKS ADJ OR 2409/1797

Parcel# 16004-000-000 (approx. 33.29 acres)

COM AT INTERSECTION N LINE SEC & W R/W SE 4TH ST TO POB SLY ALONG SE 4TH ST
300 FT W/LY 300 FT NWLY PAR TO SE 4TH ST 425 FT M/L TO N LINE SEC 9 ELY ALONG
SEC SEC LINE 340 FT M/L TO POB LEASED TO MARION CONCRETE COMPANY OR 2409/1797

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PUBLIC NOTICE

A neighborhood workshop will be held to discuss a rezoning from I-2 (General industrial district) to PS (Public Services) on approximately 33 acres located between S. Main Street and SE 4th Street, south of Depot Avenue. The site is known as the future Depot Park and is currently occupied by stormwater treatment ponds, Rail to Trail paths, and undeveloped areas. The PS zoning is intended to allow for development of a large public park which may include elements such as a museum, civic buildings, active recreation facilities, passive recreation amenities, and stormwater treatment. This is not a public hearing. The purpose of the meeting is to inform neighboring property owners of the nature of the proposal and to seek their comments.

The meeting will be held at 6pm on March 11th at the Florida Community Design Center located on the first floor of the Commerce Building located at 300 E University Avenue. Contact person: Kelly Huard Fisher 352.334.2205

appeared in The Gainesville Sun
Wednesday, February 25, 2009,
page 2A.

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Neighborhood Workshop Documentation Depot Park Rezoning

On March 11, 2009, a Neighborhood Workshop was conducted for the rezoning associated with the Depot Park project. The meeting was held in the Florida Community Design Center beginning at 6PM and lasting until approximately 6:40PM.

Staff from the Gainesville Community Redevelopment Agency (CRA), acting as lead agency for the City of Gainesville, provided a brief presentation discussing the background of the Depot Park project, the vision for the new Depot Park (including the Cade Museum), and the reasons for pursuing the proposed rezoning. The presentation was made by Matt Dube, Diane Bennett, and Kelly Huard Fisher, who are CRA project managers for various aspects of Depot Park development. Mr. Dube, Ms. Bennett, and Ms. Fisher are also able to provide professional expertise in the areas of landscape architecture, engineering, and planning, respectively.

Six (6) people attending the Neighborhood Workshop, including three (3) CRA staff members, one (1) staff member from the City of Gainesville Planning Dept, and two (2) citizen stakeholders. The meeting's sign-in sheet is included as an attachment to this document. There were no objections to the project and all in attendance supported the rezoning and Depot Park development.

The following questions and responses were made during the meeting:

1. What is the size of the proposed Cade Museum?

The Cade Foundation is planning a facility that is approximately 55,000 sq. feet in size.

2. Will the Cade Museum be funded through private investment?

Yes, the museum is proposed as a private entity. The Cade family has established a foundation and is funding the operating costs through an endowment. The Cades have also recently begun fundraising for the capital campaign and have provided a timeline indicating that they plan to begin construction in Summer 2010.

3. How long has the Cade Museum been planned and what type of museum will this be?

The Cade family has wanted to pursue a museum for some time and have worked through various concepts and ideas for the type of facility they wish to pursue. Their plans began to solidify over the past year or so, including the decision to locate the museum in the center of Gainesville, specifically at the Depot Park site. They plan to

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incorporate portions of Dr. Cade's Studebaker collection into the museum; however the museum will not be a car museum. Rather, the Cade will be an interactive technology and innovation museum. The Cades are currently finalizing plans, details, and designs for the project.

4. Will the sale of alcoholic beverages be permitted along with special events at the Park and/or Cade Museum?

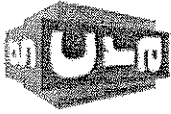
Currently, it is envisioned that this activity will be permitted during special events, particularly connected to events at the Cade Museum. This activity would be regulated by the PS zoning ordinance, and through the normal permitting process required by the City for special events.

5. What types of uses/activities are planned for Depot Park?

The park is envisioned to be a premiere urban park and a national model for urban greenspace and redevelopment. It will include active recreation amenities (such as playgrounds, rail-to-trail features, etc.) and passive recreation features (such as gardens, lawns, boardwalk, and landscaped areas.) The Park will also include pond features that will be both decorative and functional, as these features will be engineered to allow for retention and treatment of stormwater runoff from the downtown area. Another park feature will be the historic Depot Building, which will be moved back to its permanent location and which will undergo an extensive rehabilitation/restoration. Finally, the Cade Museum will be located at the site; the museum will encompass the themes of innovation, inspiration, and invention.

6. What is the timeline for the proposed rezoning?

The rezoning will go to the City Plan Board in April 2009 and if approved, will then be placed on the City Commission's agenda. Rezoning must be in place prior to any physical work on the park elements at the site, including the relocation of the Depot Building back to its permanent site for rehabilitation. (This is the first element of Depot Park construction, and it is scheduled to begin in December 2009.) We believe the park rezoning can be achieved during the summer.



CITY OF
GAINESVILLE
Every Day... Every Way... with Service
FLORIDA

Depot Park Rezoning
Neighborhood Workshop
FL Community Design Center
March 11, 2009

Please sign in:

	<u>Name</u>	<u>Address</u>	<u>Phone</u>	<u>Email address</u>
1.	Kelly Huard Fisker	CRA	334.2205	fisherkh@gainesvillecra.com
2.	Melanie Borer	JANE ST	377-4217	mrborer@bellsouth.net
3.	MIKE DUBRE	CRA	334-2205	
4.	Diane Bennett	CRA	334-2205	bennettdw@gainesvillecra.com
5.	Jason Simmons	Planning & Development Bureau	334-5022	simmonsja@cityofgainesville.org
6.	Clay Sweeger	EDA	373-3541	csweeger@engagedenman.com
7.				
8.				
9.				
10.				

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office, commercial, public, semipublic, institutional or industrial use, including motels and hotels.

(c) *Exemption.* Developments greater than 400 feet from the boundary of a designated nature park are exempt from the requirements of this section.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3911, § 10, 10-4-93; Ord. No. 4090, § 3, 6-12-95; Ord. No. 070619, § 17, 3-24-08)

Sec. 30-308. Greenway district.

(a) *Application and administration.*

(1) *Adoption of greenway district.* All designated greenways will be delineated on the map entitled, "Map Displaying Greenways of Gainesville, Florida, regulated by Article VIII of the Gainesville Code," and on file with the planning and development services department and the clerk's office. This map is for use only as a general reference for determining the location of the district. Actual affected properties will be identified by a list of parcels generated from the computerized GIS inventory maintained by planning and development services department.

(2) *Requirements and procedures.*

a. *Requirements.*

1. *Subdivisions.* In addition to compliance with subsection (a)(2)a.3. of this section, subdivisions shall

comply with Article VII. For cluster subdivisions, refer also to section 30-190.

- 2. *Developments other than subdivisions.* For developments requiring development plan review other than subdivisions, where the designated greenway corridors lie inside a floodplain or required surface water or wetlands setback, whichever is more landward, the appropriate review board shall determine if there is a rough proportionality between the projected impact of the development on traffic and recreational needs and the nature and amount of property in the development encompassing the greenway. In making this determination, the board shall consider the factors listed in section 30-187(o). If the board finds the necessary proportionality, the applicant must dedicate, to the city or a qualified agency designated by the city, a greenway right-of-way which encompasses the designated greenway.

- 3. *Greenway width and location.* The minimum width of the greenway corridor shall be 15 feet. For properties containing a creek, the corridor shall be at least ten feet landward of the top of bank of the creek. For properties containing a lake or wetland, the corridor shall be at least ten feet landward of the landward extent of the lake or wetland. For creeks, lakes and wetlands, the city manager or designee may require a distance greater than ten feet when necessary to avoid significant harm to creek vegetation, water quality or creek bank soils. Top of bank and landward ex-

tent shall be determined by the city manager or designee. Reduced widths may be approved by the city manager or designee when necessitated by environmental or infrastructure constraints. The corridor shall be located so as to correspond with the entire length of the designated greenway as it passes through the subject property, and shall be aligned to connect with existing or potential greenways and other bicycle/pedestrian circulation systems on the parcel and on adjacent parcels.

- b. *On-site transfer of development intensity and density.* In order to promote or preserve the integrity of designated greenways, development intensity and density for building areas may be transferred from areas near the greenway to areas remote from the greenway within the same property or adjacent property under the same ownership and zoning category.

(3) *Credit awarded for provision of greenway.*

- a. *Increased development intensity points.* Refer to the density bonus points manual as adopted by resolution of the city commission.
- b. *Landscape credit.* Developments dedicating a greenway corridor as specified by the density bonus points manual are awarded a 30-percent reduction in the amount of tree and vegetation landscaping required by this chapter.
- c. *Setback and lot coverage credit.* Developments dedicating a greenway corridor may include the dedicated corridor as part of its setback, if the corridor would have otherwise been part of the setback. The area of the

corridor may also be considered as open space in calculations of lot coverage.

(b) *Demonstration of compliance for developments requiring development plan review.* If a proposed development requires development plan review pursuant to article VII of this chapter, the showing of compliance with the requirements of this section shall be made in development plan review. The petition for development plan review shall provide both a hydrological report prepared by a qualified engineer registered in the State of Florida, as well as a map showing the location of the greenway corridor as it passes through the subject property.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3911, § 10, 10-4-93; Ord. No. 4090, § 1, 6-12-95; Ord. No. 950600, § 2, 9-25-95)

Sec. 30-309. Significant ecological communities district.

(a) *Purpose and intent.* This section is established to codify standards to protect and restore significant ecological communities in the city while not eliminating all economically viable use of a parcel. The city hereby establishes a permit procedure for development of parcels that are located within this district. This section provides the standards and criteria by which applications for permits for development on these parcels are considered so as to provide enhanced protection to the environmental features of the parcels.

An important element of this section is the requirement that an environmental inventory be prepared as a condition for development approval. Such a requirement ensures identification of vital environmental communities on the property proposed for development, thereby increasing the likelihood that such communities will be protected or restored, and enabling use of a more customized set of regulations, instead of more generalized regulations that may not be appropriate for a given property.

(b) *Effect of classification.* The significant ecological communities district is an overlay zoning district. It shall operate in conjunction with any underlying zoning district on the property. The regulations of the underlying zoning district, and

all other applicable regulations, remain in effect and are further regulated by significant ecological communities district standards. If provisions of the significant ecological communities district standards conflict with the underlying zoning, the provisions of the significant ecological communities district standards shall govern and prevail.

(c) *Definitions.* For purposes of this section and section 30-309.1 the following definitions apply:

Completeness is defined as the extent to which an ecological feature exhibits the species, physical structure, and ecological processes typical of that feature type.

Connectivity or connectedness is defined as the extent to which a parcel is adjacent to or near protected lands, and the degree to which intervening properties could hinder wildlife movement or other ecological processes that contribute to the overall health of the ecological community.

Exemplary is defined as a parcel having species composition and structure characteristic of an unusually high quality example of the natural community type in question.

High water quality is defined as a parcel contributing to aquifer recharge, water filtration, or flood control; or lacking substantial inputs of pollutants; or a combination of these.

Manageability is defined as the feasibility of carrying out any active management, which is necessary to maintain the natural values of the site.

Nature-oriented human use potential is defined as the extent to which amenities necessary for passive recreation (access, parking areas, trails, boardwalks) are present or can feasibly be developed on a site.

Rarity is defined as a parcel exhibiting the frequency of occurrence of a natural community or features in the state or within the City of Gainesville. State rankings come from the Florida Natural Areas Inventory's (FNAI) Guide to the Natural Communities of Florida (1990), Tracking List of Rare, Threatened, and Endangered Plants, Animals and Natural Communities of Florida (FNAI 2000), and Florida's Endangered Species,