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**TO:** City Plan Board

**Item Number: 2.**


**FROM:** Department of Doing

**DATE:** October 26, 2017

**Submitted by:**

  
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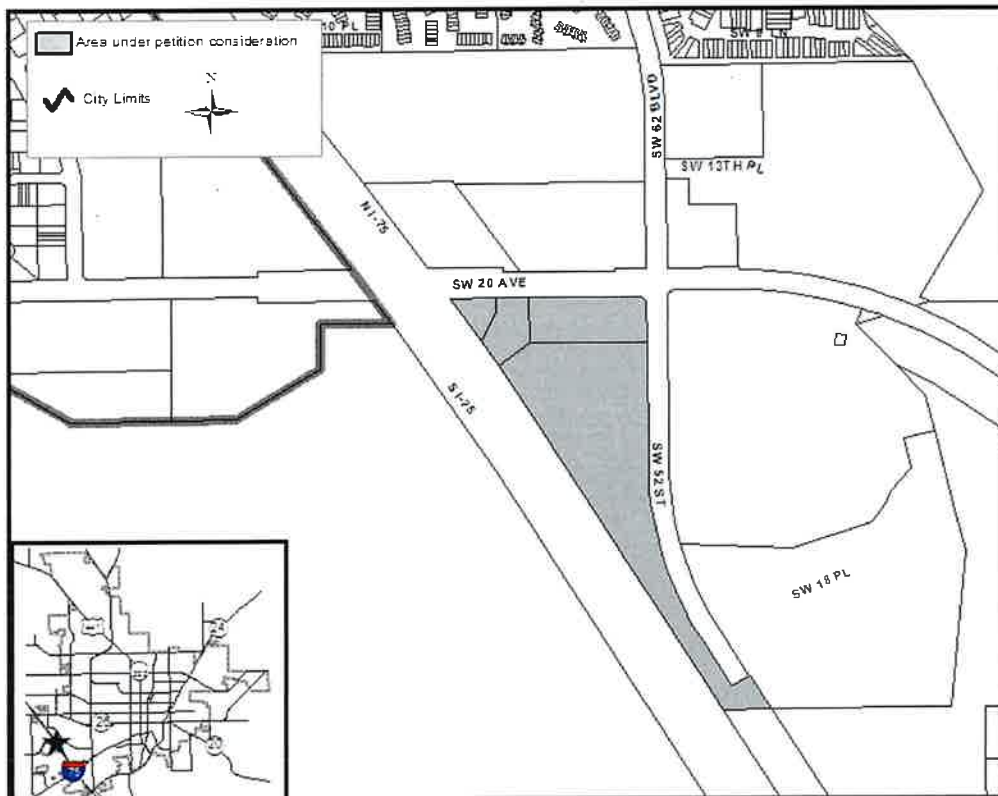
**Prepared by:**

  
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**SUBJECT:** **Petition PB-17-93 ZON.** CHW, Inc. agent for Legacy Fountains of Gainesville, LLC. Rezone property from Planned Development District (PD) and RMF-6: 8-15 units per/acre multiple-family residential district to MU1: 8-30 units/acre mixed use low intensity on +/- 18.5 acres. . Located at Southwest corner of the SW 52<sup>nd</sup> Street and SW 20<sup>th</sup> Avenue intersection. Related to Petition PB-17-92 LUC.

## Recommendation

Staff recommends approval of Petition PB-17-93 ZON.



**Description**

The proposed MU-1 zoning (and related Mixed-Use Low-Intensity (8-30 units/acre) (MUL) land use) will encourage development of this undeveloped property in an urbanized area. The proposed MU-1 zoning (and related MUL land use) allows a mix of residential and non-residential uses and is compatible with the surrounding area.

**Table 1**

**Adjacent Existing Uses**

<b>North</b>	SW 20 <sup>th</sup> AVE (CR 2074) (north of which are undeveloped land and multi-family development (The Pavilion on 62 <sup>nd</sup> apartments))
<b>South</b>	Undeveloped land
<b>East</b>	SW 52 <sup>nd</sup> ST (east of which is multi-family development (Cabana Beach apartments))
<b>West</b>	I-75

**Adjacent Land Use and Zoning**

	<b>Land Use Category</b>	<b>Zoning Category</b>
<b>North</b>	SW 20 <sup>th</sup> AVE (beyond which are Public and Institutional Facilities (PF), and Residential Medium-Density (8-30 units per acre) (RM))	SW 20 <sup>th</sup> AVE (beyond which are Public services and operations district (PS), and Planned development district (PD))
<b>South</b>	Residential Medium-Density (8-30 units per acre) (RM)	RMF-6: 8-15 units/acre multiple-family residential district
<b>East</b>	SW 52 <sup>nd</sup> ST, then Residential Medium-Density (8-30 units per acre) (RM)	SW 52 <sup>nd</sup> ST, then RMF-6: 8-15 units/acre multiple-family residential district
<b>West</b>	I-75	I-75

The northern 4.8 acres (along SW 20<sup>th</sup> Avenue) of this property was approved for PD (Planned development district) zoning by Ordinance No. 100327 in 2012, which is still in effect. The ordinance allows:

- uses consistent with the MU-1 district;
- a maximum of 45,000 sq. ft. of non-residential use (20,000 sq. ft. for retail/commercial; 20,000 sq. ft. of office; and 5,000 sq. ft. for a stand-alone bank with drive-through lane), and various other requirements.

This property was undeveloped at the time of the PD approval and remains so today, despite “diligently pursuing potential tenants for half a decade”, as stated on page 3 of the applicant’s Justification Report that is within Exhibit C-1 – Application). The proposed rezoning to MU-1 includes the adjacent, approximately 13.7-acre, undeveloped property to the south, which has RMF-6: 8-15 units/acre multiple-family residential district zoning. The substantially expanded

area in combination with the proposed MU-1 zoning (and related proposed MUL land use) will provide flexibility that is lacking under the current zoning and land use.

See [Exhibit B-1](#) for an aerial photograph of the property and surrounding area. [Exhibits B-2 and B-3](#) are maps that show the existing and proposed zoning districts.

This petition is related to Petition PB-17-92 LUC, which proposes amendment of the Future Land Use Map from Planned Use District (PUD) and Residential Medium-Density: 8-30 units per acre (RM) to Mixed Use-Low Intensity: 8-30 units per acre (MUL).

### **Key Issues**

- The proposed rezoning from Planned development district (PD) and RMF-6: 8-15 units per/acre multiple-family residential district to MU1: 8-30 units/acre mixed use low intensity is consistent with the City of Gainesville Comprehensive Plan and supports infill development of an undeveloped property in an urbanized area.
- The proposed rezoning will increase the development potential of this undeveloped property by increasing the potential amount of both residential and non-residential use relative to the current PD and RMF-6 zoning designations.

### **Basis for Recommendation**

The staff recommendation is based on the five following factors, which are discussed below:

1. Conformance with the Comprehensive Plan;
2. Conformance with the Land Development Code;
3. Changed Conditions;
4. Compatibility; and,
5. Impacts on Affordable Housing.

#### **1. Conformance with the Comprehensive Plan**

This proposed rezoning is consistent with the overall goal (Goal 1 of the Future Land Use Element (FLUE)) of the City to improve the quality of life and achieve a sustainable development pattern, in part by ensuring that a percentage of land uses are mixed. The proposed rezoning to the MU-1 district is also consistent with Future Land Use Element Policies 1.1.1, 1.1.2, and 1.2.3, Objective 1.5, and Policy 4.2.1. Please see below for these policies and for the Mixed-Use Low-Intensity land use category under Policy 4.1.1. See [Exhibit A-1](#) - Comprehensive Plan - Transportation Mobility Element GOPs, for transportation-related policies relevant to this zoning petition.

The requested MU-1 (8-30 units/acre mixed use low intensity district) zoning will increase the potential development opportunities for this property by allowing a mix of residential and non-residential uses throughout the entire 18.5-acre property. It will also allow for a net increase in the potential amount of residential and non-residential development relative to the current PD (on approximately 4.8 acres) and RMF-6 (8-15 units per acre) (on approximately 13.7 acres)

zoning. This proposed rezoning will also increase the potential for the development of non-residential uses within walking distance for hundreds of nearby apartment residents who currently must drive or take the bus to the nearest non-residential centers.

Future development of this undeveloped property in accordance with the MU-1 zoning is supportive of the City's objectives of discouraging urban sprawl, encouraging infill development and promoting transportation choice.

The proposed MU-1 zoning will implement the related MUL (Mixed-Use Low-Intensity: 8-30 units per acre) land use proposed by related Petition PB-17-92 LUC.

## **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.**

**Policy 1.1.1** To the extent possible, all planning shall be in the form of complete and integrated communities containing housing, shops, workplaces, schools, parks and civic facilities essential to the daily life of the residents.

**Policy 1.1.2** To the extent possible, neighborhoods should be sized so that housing, jobs, daily needs and other activities are within easy walking distance of each other.

**Policy 1.2.3** The City should encourage mixed-use development, where appropriate.

**Objective 1.5 Discourage the proliferation of urban sprawl.**

**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.

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



### **Mixed-Use Low-Intensity (8-30 units per acre)**

This category allows a mixture of residential and non-residential uses such as standard lot single-family houses, small-lot single-family houses, duplex houses, townhouses (attached housing), accessory dwelling units, group homes, multi-family housing (if compatible in scale and character with other dwellings in the proposed neighborhood), offices scaled to serve the surrounding neighborhood, retail scaled to serve the surrounding neighborhood, public and private schools, places of religious assembly and other community civic uses, and traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance. Residential development shall be limited to 8 to 30 units per acres. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. Intensity will be controlled, in part, by adopting land development regulations that establish height limits of 5 stories or less; however, height may be increased to a maximum of 8 stories by special use permit. Land development regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 10 acres or larger. At a minimum, the land development regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential; or, that the surrounding area of equal or greater size than the development or redevelopment site, and within 1/4 mile of the site, have a residential density of at least 6 units per acre. Residential use shall not be a required development component for public and private schools, institutions of higher learning, places of religious assembly and other community civic uses. Buildings in this category shall face the street and have modest (or no) front setbacks.

This category shall not be used to extend strip commercial development along a street. Land development regulations shall ensure a compact, pedestrian-friendly environment for these areas, and provide guidelines or standards for the compatibility of permitted uses.

### **2. Conformance with the Land Development Code**

The requested MU-1 (Mixed use low intensity district) zoning will implement the MUL land use category proposed by related Petition PB-17-92 LUC. Permitted uses and dimensional standards for the MU-1 district are in Sections 30-4.19 and 30-4.20 of the Land Development Code (see Exhibit B-4 (Permitted Uses and Dimensional Standards)).

Any proposed development or redevelopment will be required to meet all applicable Land Development Code requirements at the time of development plan review.

### **3. Changed Conditions**

A major changed condition is that the property has increased in area by the addition of the 13.7-acre property adjacent and south of the original 4.8-acre property that fronts SW 20<sup>th</sup> Avenue. Another changed condition is the planned future construction of the SW 62<sup>nd</sup> Blvd. extension connecting SW 20<sup>th</sup> Avenue to SW Archer Road. The SW 62<sup>nd</sup> Blvd. extension is included in the FDOT tentative work program with funds for construction in FY22, and is Project No. 25 in the Table 14 - 5-Year Schedule of Capital Improvements (FY 16/17 – 20/21) in the Capital Improvements Element.

#### **4. Compatibility**

The proposed MU-1 (8-30 units/acre mixed use low intensity district) zoning is compatible with the adjacent residential properties and the surrounding area. Compatibility of any future non-residential development with the nearby residential properties will be assured by meeting all applicable requirements of the Land Development Code, including landscape buffers, lighting and noise.

#### **5. Impacts on Affordable Housing**

The proposed rezoning to MU-1 will increase the allowable residential density relative to the current PD and RMF-6 zoning designations and therefore may increase the supply of potential affordable housing in the City.

#### **Transportation**

This property is served by SW 20<sup>th</sup> Avenue (2-lane, Major County Roadway and Multimodal Corridor with bike lanes on both sides) to the north, and SW 52<sup>nd</sup> Street (2-lane, City of Gainesville local street with bike lane on both sides, that currently terminates approximately 170 feet north of the southern boundary property, but is planned for future extension as part of the SW 62<sup>nd</sup> Blvd. (City of Gainesville collector) extension that will connect SW 20<sup>th</sup> Avenue to SW Archer Road. The property is located in Transportation Mobility Program Area (TMPA) Zone B.

The proposed rezoning from PD and RMF-6 to MU-1 will result in an increase in the potential number of trips generated by future development of this 18.5-acre property. The transportation system impacts will be addressed through the Transportation Mobility Element of the Gainesville Comprehensive Plan. Development within TMPA (Transportation Mobility Program Area) Zone B is not required to meet level of service (LOS) requirements for concurrency, but is required to comply with the TMPA Zone B requirements (Policies 10.1.4, 10.1.5 and 10.1.6) of the Transportation Mobility Element (TME). Because the property is also within the University of Florida (UF) Context Area, all new multi-family development is required by Policy 10.1.14 of the TME to fund capital transit costs associated with transit service needs of proposed development. See Exhibit A-1, Comprehensive Plan GOPs, for these and other pertinent TME Policies.

On page 13 of the Justification Report (Revised) dated August 25, 2016 (within Exhibit C-1 – Application), CHW Professional Consultants estimated the potential trip generation (see Table 2: Potential Net Trip Generation, on next page). The comparison is between potential future development under the proposed MU-1 zoning, and potential development under the current PD and RMF-6 zoning. The total net trips are 1,332 Average Daily Trips (AADT) for 277 multi-family residential units (apartments), 50,000 sq. ft. of specialty retail center (shopping center), and 50,000 sq. ft. of general office use. The total net PM peak trips are 103. City planning and transportation staff reviewed the projected net trip generation and found it to be acceptable.

**Table 2: Projected Net Trip Generation**

Land Use <sup>1</sup> (ITE)	Units	Daily <sup>1</sup>		AM Peak <sup>1</sup>		PM Peak <sup>1</sup>	
		Rate	Trips	Rate	Trips	Rate	Trips
<b>Proposed<sup>2</sup></b>							
Apartment (ITE 220)	277	6.65	1,842.05	.55	152.35	.67	185.69
Specialty Retail Center (ITE 826)	50	44.32	2,216	6.84	342	5.02	251
General Office Building (ITE 710)	50	11.03	551.50	1.56	78	1.49	74.50
<i>Subtotal:</i>	-	-	4,610	-	572	-	511
<b>Existing</b>							
Apartment <sup>3</sup> (ITE 220)	215	6.65	1,429.75	.55	118.25	.67	144.05
General Office Building (ITE 710)	20	11.03	220.60	1.56	31.20	1.49	29.80
Drive-in Bank (ITE 912)	5	148.15	740.75	17.57	87.85	26.69	133.45
Specialty Retail Center (ITE 826)	20	44.32	886.40	6.84	136.80	5.02	100.40
<i>Subtotal:</i>	-	-	3,278	-	374	-	408
<b>Net Trip Generation</b>	-	-	<b>1,332</b>	-	<b>198</b>	-	<b>103</b>

1. Source: ITE Trip Generation Manual, 9<sup>th</sup> Edition

2. NOTE: A development plan is not being submitted with this Ls-CPA application. As a result, these numbers are based on uses likely to be chosen for the project site. The maximum permitted onsite residential and nonresidential uses are split evenly (50% each) for the purposes of this calculation. Then, the resulting maximum nonresidential uses are split evenly again to reflect a mix of office and retail uses.

3. NOTE: For the purposes of accurate comparisons, ±13.66 ac. of RMF-6 has been added to the existing PD, which permits 15 du/acre with 138+ bonus density points.

The applicant also provided trip distribution information in a memorandum dated October 6, 2017 (see Exhibit C-2 - Trip Distribution Memorandum). The trip generation map within the memorandum shows the following trip distribution:

- 24.8% of daily net new project trips go West on SW 20<sup>th</sup> AVE
- 34.6% of daily net new project trips go East on SW 20<sup>th</sup> AVE
- 40.6% of daily net new project trips go North on SW 62<sup>nd</sup> BLVD.

Debbie Leistner (Planning Manager in the City's Public Works Department) reviewed the trip distribution information provided by the applicant. In an e-mail of October 12, 2016 she stated that:

“it appears that the distribution is reasonable given the current conditions. There are several parallel efforts on-going that will affect the project’s distribution and roadway impacts in the future including proposed mixed use land developments to the west and the construction of the SW 62<sup>nd</sup> Blvd extension connecting SW 20<sup>th</sup> Ave to Archer Rd. The latter is anticipated to decrease the project’s impact along SW 20<sup>th</sup> Ave by increasing connectivity in the area. The SW 62<sup>nd</sup> Blvd is included in the FDOT tentative work program with funds for construction in FY22. The overall plan for the SW 62<sup>nd</sup> Blvd project will require future land acquisition from this subject parcel. At the last iteration of development review for this site it was agreed that the developer would place buildings and site improvements outside of the future right-of-way needs area in anticipation of future land acquisition by FDOT in accordance with federal regulations. Also there was a provision for right-of-way dedication along the frontage of SW 20<sup>th</sup> Ave in anticipation of the bridge widening by Alachua County. Further coordination with City and County staff will be needed prior to development of the site to determine the extent of the right-of-way needs for both roadway projects.”

Transit service to the property is provided 7 days per week by RTS Route 20 (Reitz Union to Oaks Mall). Monday-Friday service (no weekend service) is provided by RTS Routes: 21 (Reitz Union to Cabana Beach); 76 (Santa Fe to Haile Market Square); and 77 (Santa Fe to Cabana Beach Apartments).

### **Environmental Impacts and Constraints**

The property is entirely in FEMA Flood Zone X (corresponds to areas outside the 100-year floodplains, areas of 100-year sheet flow flooding where average depths are less than 1 foot, areas of 100-year stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 100-year flood by levees), which is generally considered to be the non-risk zone. (Source: Andy Renshaw, Technical Support Specialist, City of Gainesville Public Works Department, October 11, 2017 phone call.)

The City’s Environmental Coordinator, Mark Brown, PWS, CPSS, provided a comprehensive memorandum dated September 22, 2017 (See Exhibit B-5 - Memorandum from the City’s Environmental Coordinator). Key excerpts from Mr. Brown’s memorandum follow.

“The subject site has been reviewed for considerations relating to the presence of environmental resources regulated by the City’s Land Development Code (LDC), Article VIII, Division 4 - *Surface Waters and Wetlands*. The subject parcel doesn’t possess wetlands, drainage swales, ditches or other surface waters wetlands; therefore the proposed project is exempt from criteria stipulated in LDC Division 4.

The site is also reviewed for consideration of criteria stipulated in the LDC, Article VIII, Division 3 - *Natural and Archaeological Resources*. ...all three associated parcels are located within the designated *Hogtown Creek Strategic Ecosystem*.

As referenced in the environmental evaluations conducted and reported by CHW (2010) and Dr. David Hall (2006), during the existing Legacy Fountain PD’s review process, it

was determined the subject site has specific areas and vegetative components that achieve designation as “significant uplands.”... Since the entire 18.46-acres is currently being considered for different projects and it’s been several years since habitat assessment, additional evaluation will be necessary to provide information of habitat and vegetative conditions to determine and incorporate upland set-asides into the design process. The consultant reports also document the presence of critical tree species that will be evaluated for protection and hopefully incorporated into the upland set-aside areas.”

## **List of Appendices**

### **Appendix A Comprehensive Plan GOPs**

Exhibit A-1 Comprehensive Plan GOPs

### **Appendix B Supplemental Documents**

Exhibit B-1 Aerial Photograph

Exhibit B-2 Map: Existing Zoning

Exhibit B-3 Map: Proposed Zoning

Exhibit B-4 Permitted Uses and Dimensional Standards

Exhibit B-5 Memorandum from the City's Environmental Coordinator

### **Appendix C Application Package**

Exhibit C-1 Rezoning Application

Exhibit C-2 Trip Distribution Memorandum

## **Appendix A Comprehensive Plan GOPs**

### Exhibit A-1 Comprehensive Plan GOPs

#### **Transportation Mobility Element**

**Policy 2.1.2** The City shall promote transportation choice, healthy residential and non-residential development, safety, and convenience.

**Objective 7.1** Provide multi-modal opportunities and mixed-use development areas to reduce single-occupant automobile trips and reduce vehicle miles traveled.

**Policy 10.1.1** All property within city limits is included in the Gainesville Transportation Mobility Program Area (TMPA); however, the TMPA shall not apply to annexed properties that do not yet have an adopted City land use category. When annexed properties are designated with a City land use category, they shall be assigned to the most physically proximate TMPA zone as mapped in the Transportation Mobility Element Data and Analysis Report and in the GIS Map Library on the City's Planning and Development Services Department website.

**Policy 10.1.4** For any development or redevelopment within Zone A, the developer shall provide the following transportation mobility requirements. The developer shall provide any transportation modifications that are site related and required for operational or safety reasons, such as, but not limited to, new turn lanes into the development, driveway modifications, or new traffic signals, and such operational and safety modifications shall be unrelated to the Transportation Mobility Program requirements.

- a. Sidewalk connections from the development to existing and planned public sidewalk along the development frontage;
- b. Cross-access connections/easements or joint driveways, where available and economically feasible;
- c. Deeding of land or conveyance of required easements along the property frontage to the City, as needed, for the construction of public sidewalks, bus turn-out facilities, and/or transit shelters. Such deeding or conveyance of required easements, or a portion of same, shall not be required if it would render the property unusable for development. A Transit Facility License Agreement between the property owner and the City for the placement of a bus shelter and related facilities on private property may be used in lieu of deeding of land or conveyance of easements. The License Agreement term shall be for a minimum of 10 years;

- d. Closure of existing excessive, duplicative, or unsafe curb cuts or narrowing of overly wide curb cuts at the development site, as defined in the Access Management portion of the Land Development Code; and
- e. Safe and convenient on-site pedestrian circulation, such as sidewalks and crosswalks connecting buildings and parking areas at the development site.

**Policy 10.1.5** For any development or redevelopment within Zones B, C, D, E, or M, the developer shall provide all of the items listed in Policy 10.1.4 and shall provide the transportation mobility requirements as specified in Policies 10.1.6, 10.1.7, 10.1.9, 10.1.11, 10.1.13, and 10.1.14, as applicable. The developer shall also provide any transportation modifications that are site related and required for operational or safety reasons, such as, but not limited to, new turn lanes into the development, driveway modifications, or new traffic signals, and such operational and safety modifications shall be unrelated to the Transportation Mobility Program requirements.

**Policy 10.1.6** For any development or redevelopment within Zone B, the developer shall, at the developer’s expense, meet the following transportation mobility criteria based on the development’s (including all phases) trip generation and proportional impact on transportation mobility needs. The criteria chosen shall relate to the particular development site and the transportation mobility conditions and priorities in the zone, adjacent zones, and/or citywide for criteria that benefit the overall transportation system. Based on cost estimates provided by the developer and verified by the City, the City shall have the discretion to count individual criteria as equivalent to two or more criteria for purposes of satisfying transportation mobility requirements. Provision of the required transportation mobility criteria shall be subject to final approval by the City during the development review process and shall be memorialized in a TMPA agreement between the City and the developer.

<b>Net, New Average Daily Trip Generation</b>	<b>Number of Criteria That Shall Be Met</b>
50 or less	At least 1
51 to 100	At least 2
101 to 400	At least 3
401 to 1,000	At least 5
1,001 to 5,000	At least 8



Greater than 5,000	<p>At least 12 and meet either a. or b.:</p> <ul style="list-style-type: none"> <li>a. Located on an existing RTS transit route with minimum 15-minute frequencies in the a.m. and p.m. peak hours.</li> <li>b. Provide funding for a new RTS transit route with minimum 15-minute frequencies in the a.m. and p.m. peak hours or provide funding to improve RTS transit headways to minimum 15-minute frequencies in the a.m. and p.m. peak hours. Funding for new routes shall include capital and operating costs for a minimum of 5 years. Funding for existing route expansions or enhancements shall include capital and operating costs for a minimum of 3 years.</li> </ul>
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**Zone B Criteria**

- a. Intersection and/or signalization modifications to address congestion management, including, but not limited to: signal timing studies, fiber optic interconnection for traffic signals, roundabouts, OPTICOM signal preemption, transit signal prioritization, and/or implementation of the Gainesville Traffic Signalization Master Plan. The Master Plan includes installation of Intelligent Transportation System (ITS) features such as state of the art traffic signal controllers, dynamic message signs, and traffic monitoring cameras designed to maximize the efficiency of the roadway network by reducing congestion and delay.
- b. Addition of lanes on existing road facilities (including, but not limited to, the 4-lane expansion of SR 121 north of US 441 to CR 231), where acceptable to the City and/or MTPO, as relevant.
- c. Construction of new road facilities that provide alternate routes, reduce congestion, and create a better gridded network.
- d. Use of joint driveways or cross-access to reduce curb cuts.
- e. Participation in a transportation demand management program that provides funding or incentives for transportation modes other than single occupant vehicle. Such demand management programs shall provide annual reports of operations to the City indicating successes in reducing single occupant vehicle trips.
- f. Provision of ride sharing or van pooling programs.
- g. Provision of Park and Ride facilities, built to RTS needs and specifications.
- h. Provision of bus pass programs provided to residents and/or employees of the development. The bus passes must be negotiated as part of a contract with the Regional Transit System.

- i. Deeding of land for the addition and construction of bicycle lanes that meet City specifications. Prior to deeding land for right-of-way, the developer and the City must agree upon the fair market value of the land for the purposes of meeting this criterion. The developer may submit an appraisal to the City to establish fair market value, subject to review and approval by the City.
- j. Provision of additional bicycle parking over the minimum required by the Land Development Code. Additional bicycle parking may be used to substitute for the required motorized vehicle parking.
- k. Enhancements to the City's off-street paved trail network (as shown in the Transportation Mobility Map Series) that increase its utility as a multi-modal transportation route. Such enhancements may include, but shall not be limited to: 1) trail amenities such as benches, directional signage, or safety systems; 2) bicycle parking at entry points or connections with transit lines; 3) land acquisition for expansion or better connectivity; 4) additional entry points to the off-street paved trail network; 5) bridges spanning creeks or wetland areas; and 6) appropriate off-street trail surfacing.
- l. Funding of streetscaping/landscaping (including pedestrian-scale lighting, where relevant) on public rights-of-way or medians, as coordinated with the implementation of the City's streetscaping plans.
- m. In order to increase the attractiveness of the streetscape and reduce visual clutter along roadways to promote a more walkable environment, provision of no ground-mounted signage at the site for parcels with 100 linear feet or less of property frontage, or removal of non-conforming signage or billboards at the site. Signage must meet all other regulations in the Land Development Code.
- n. Widening of existing public sidewalks to increase pedestrian mobility and safety.
- o. Construction of public sidewalks where they do not currently exist or completion of sidewalk connectivity projects. Sidewalk construction required to meet Land Development Code requirements along property frontages shall not count as meeting TMPA criteria.
- p. Payments to RTS that either increase service frequency or add additional transit service, including Express Transit service and/or Bus Rapid Transit, where appropriate.
- q. Funding for the construction of new or expanded transit facilities.
- r. Construction of bus shelters built to City specifications.
- s. Bus shelter lighting using solar technology designed and constructed to City specifications.
- t. Construction of bus turn-out facilities to City specifications.

- u. Construction of access to transit stops and/or construction of transit boarding and alighting areas.
- v. Business operations shown to have limited or no peak-hour roadway impact.
- w. An innovative transportation-mobility-related modification submitted by the developer, where acceptable to and approved by the City.

**Policy 10.1.14** Within the portion of the University of Florida (UF) Context Area that is located inside city limits (as mapped in the Campus Master Plan), all new multi-family residential development shall fund the capital transit costs associated with transit service needs. Transit capital costs include transit vehicles, maintenance facilities, passenger facilities such as transit shelters, and technology equipment (such as GPS). Payments shall be based on a proportionate share contribution for any additional transit service enhancements needed to serve the proposed development and maintain existing service levels (frequencies) in the RTS a.m. and p.m. peak hours. The projected new trips shall be based on the expected mode split of all development trips that will use transit. If the development is within ¼ mile of UF, there shall be a 25% reduction in the required payment in recognition of the pedestrian and bicycle trips that may occur. Any transit payments required under this policy shall not count towards meeting TMPA criteria in Zones B, C, D, or M.

**Policy 10.1.16** To encourage redevelopment and desirable urban design and form, any development or redevelopment within Zones B, C, D, E, or M that meets standards such as neo-traditional, new urbanist, transit-oriented development (TOD), or mixed-use development and includes a mix of both residential and non-residential uses at transit-oriented densities shall be provided credits, in relation to the multi-modal amenities provided, toward meeting the criteria in Policies 10.1.6, 10.1.7, 10.1.9, 10.1.11, and 10.1.13, as applicable.

**Policy 10.1.20** The City may require special traffic studies within the TMPA, including, but not limited to, information about trip generation, trip distribution, trip credits, and/or signal warrants, to determine the need for transportation modifications for improved traffic operation and/or safety on impacted road segments.


**Objective 10.3** The City's Land Development Code shall provide standards for all new developments and redevelopment within the TMPA. Within the transect zoning district areas, the Land Development code shall regulate urban form to ensure a compact, pedestrian-friendly environment that supports multi-modal opportunities.

**Appendix B Supplemental Documents**

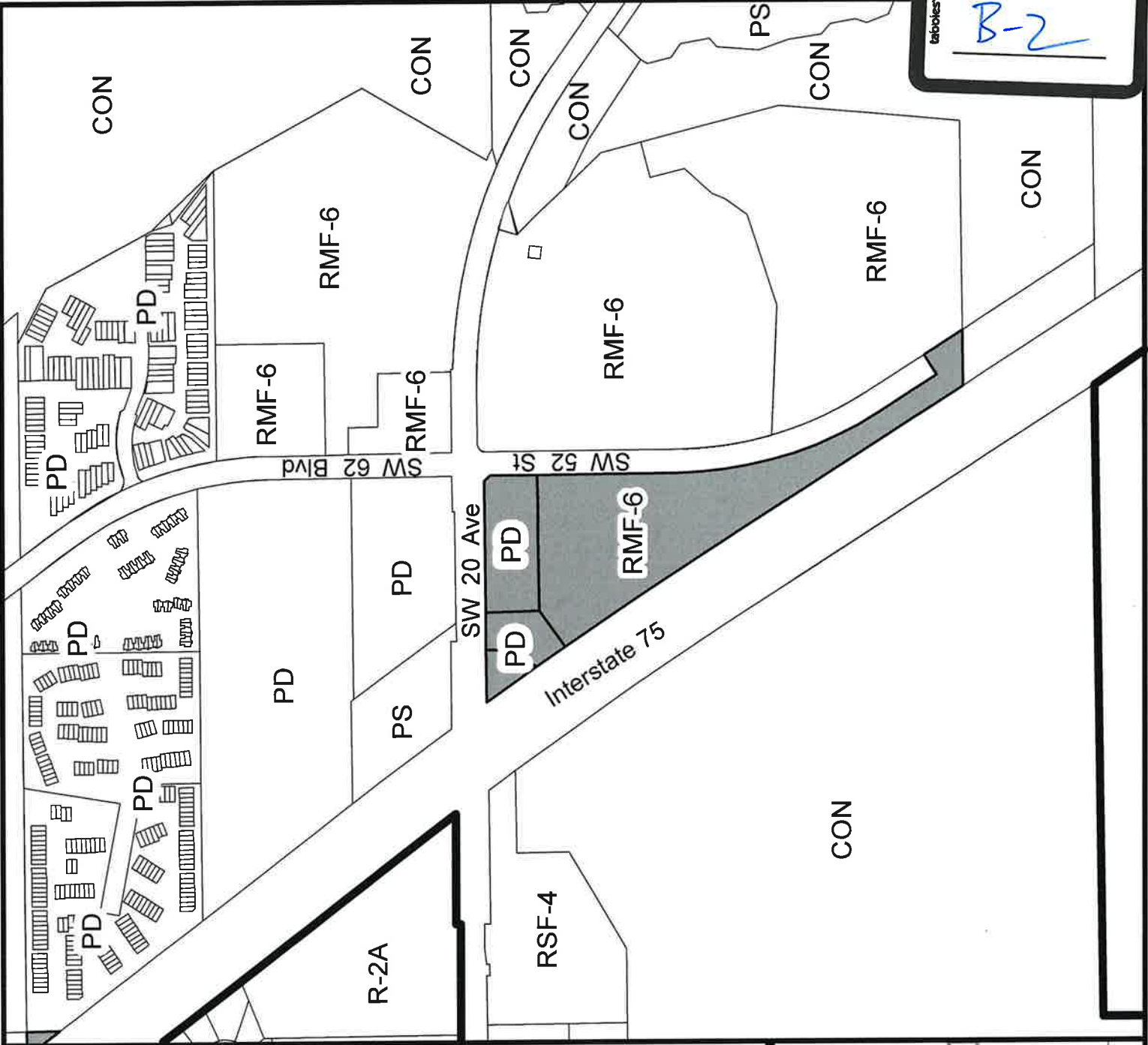
EXHIBIT  
B-1




AERIAL PHOTOGRAPH

 <p>No Scale</p>	<p><b>Name</b></p> <p>CHW, Inc. agent for Legacy Fountains of Gainesville, LLC</p>	<p><b>Petition Request</b></p> <p>Rezone property from Planned Development District (PD) and RMF-6: 8-15 units/acre multiple-family district to MU-1: 8-30 units/acre mixed use low intensity district</p>	<p><b>Petition Number</b></p> <p>PB-17-93 ZON</p>
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**Petition  
PB-17-93 ZON  
Existing Zoning Districts**

 Area under petition consideration

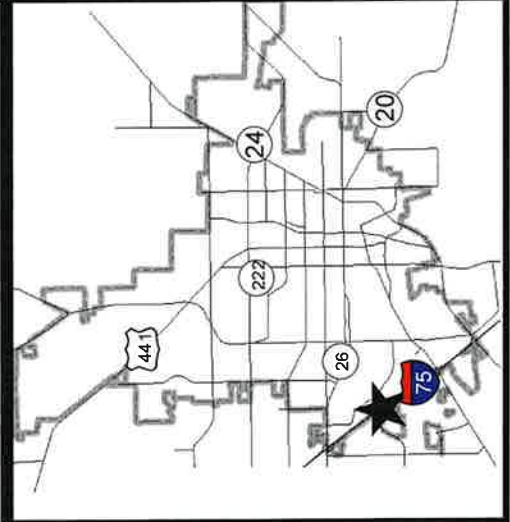
**City of Gainesville  
Zoning Districts**

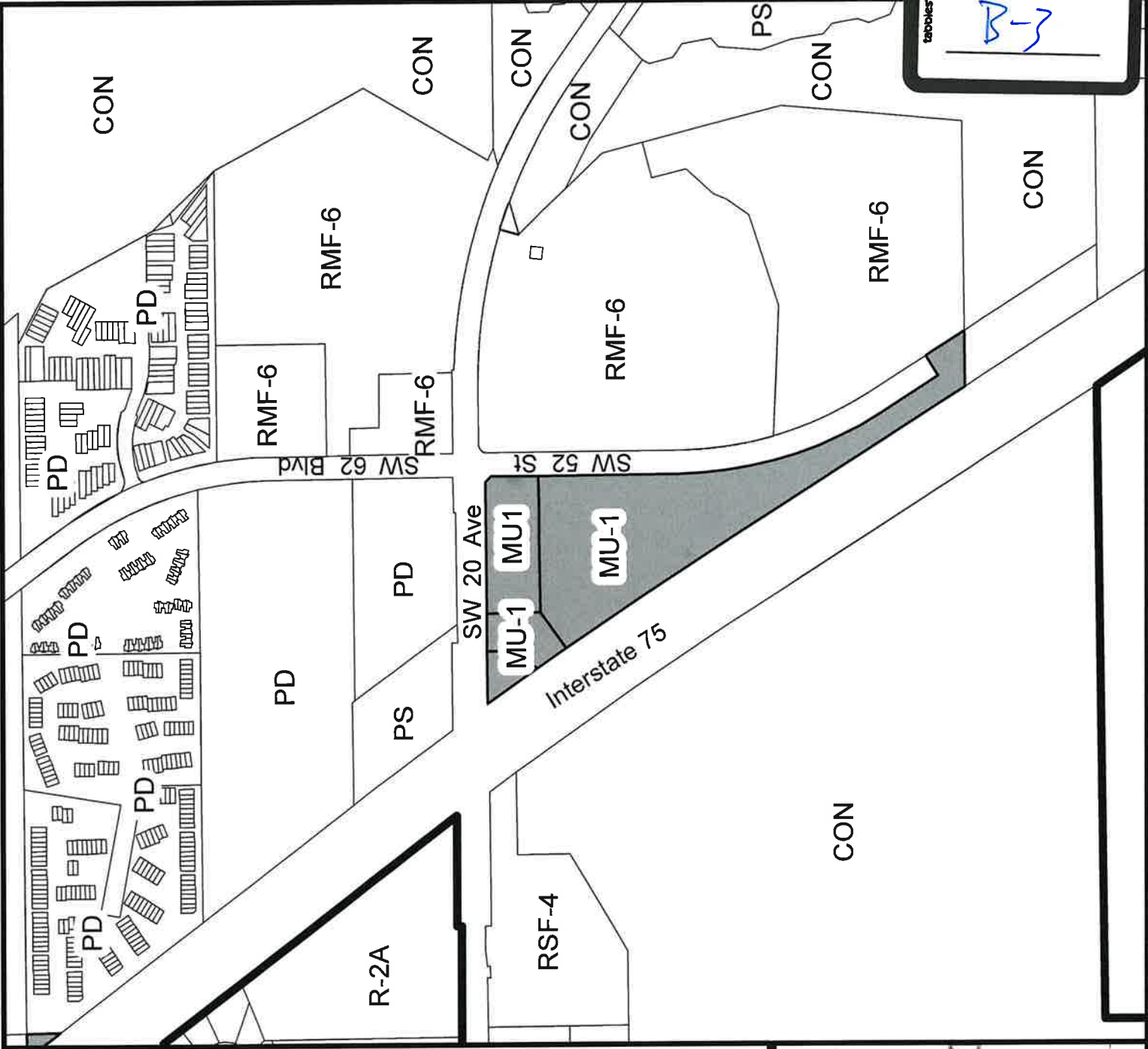
- RSF-4 Single-Family Residential
- RMF-6 Multiple-Family Residential
- PD Planned Development
- CON Conservation
- PS Public Services and Operations

**Alachua County  
Land Use Categories**

- R-2A Multiple-Family Residential,  
Medium-Density

 Division line between two land use categories  
 City Limits





**Petition  
PB-17-93 ZON  
Proposed Zoning Districts**

 Area under petition consideration

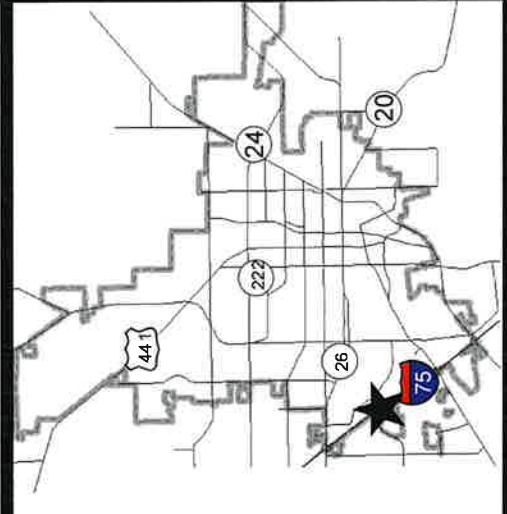
**City of Gainesville  
Zoning Districts**

- RSF-4 Single-Family Residential
- RMF-6 Multiple-Family Residential
- MU-1 Mixed-Use Low-Intensity
- PD Planned Development
- CON Conservation
- PS Public Services and Operations

**Alachua County  
Land Use Categories**

- R-2A Multiple-Family Residential, Medium-Density

 Division line between two land use categories  
 City Limits



**Section 30-4.18. Density Bonus Points.**

Development criteria described in the density bonus points manual, when met, shall allow increases in development intensity based upon the limits in this section. These increases in intensity shall be allowed should a developer propose to undertake a project that will result in a development sensitive to the unique environmental and developmental needs of the area. For each criterion met by the developer, certain points shall be credited to the project. Those points, calculated in accordance with the Density Bonus Points Manual, shall determine the maximum allowable density.

**Table V - 6: Permitted Density Using Density Bonus Points**

RMF-6		RMF-7		RMF-8	
Points	Max residential density (du/ac)	Points	Max residential density (du/ac)	Points	Max residential density (du/ac)
0	10	0	14	0	20
26	11	20	15	16	21
52	12	39	16	30	22
79	13	59	17	46	23
108	14	79	18	59	24
138+	15	98	19	75	25

**DIVISION 4. MIXED-USE AND NONRESIDENTIAL**

**Section 30-4.19. Permitted Uses.**

The following table contains the list of uses allowed, and specifies whether the uses are allowed by right (P), accessory to a principal use (A), or by special use permit approval (S). Blank cells indicate that the use is not allowed. No variances from the requirements of this section shall be allowed.

**Table V - 7: Permitted Uses in Mixed-Use and Nonresidential Districts.**

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
<b>RESIDENTIAL</b>													
Single-family house		P	-	P	P	-	-	-	-	-	P	-	-
Attached dwellings		P	P	P	P	-	-	-	-	-	-	-	-
Multi-family dwellings		P	P	P	P	S	-	-	-	-	P	-	-
Accessory dwelling units	30-5.33	A	A	A	A	-	-	-	-	-	P	-	-
Adult day care homes	30-5.2	P	P	P	P	P	P	-	-	P	-	-	-
Community residential homes (up to 6 residents)	30-5.6	P	P	P	P	-	-	-	-	-	P	-	-
Community residential homes (more than 14 residents)	30-5.6	-	P	P	P	-	-	-	-	-	P	-	-
Community residential homes (7 to 14 residents)	30-5.6	P	P	P	P	-	-	-	-	-	P	-	-



	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
Dormitory, large	30-5.8	-	-	-	S	-	-	-	-	-	-	-	-
Dormitory, small	30-5.8	S	S	S	P	-	S	-	-	-	-	-	-
Family child care homes	30-5.10	P	-	P	P	-	-	-	-	-	P	-	-
<b>NONRESIDENTIAL</b>													
Alcoholic beverage establishments	30-5.3	S	S	-	-	-	P	-	P	P	-	P	P
Assisted living facility		P	P	-	P	-	-	-	-	-	P	-	-
Armor systems manufacturing and assembly	30-5.16	P	-	-	-	-	-	-	-	-	-	-	-
Bed and breakfast establishments	30-5.4	P	P	S	S	-	P	-	P	-	-	-	-
Business services		P	P	-	P	P	P	P	P	P	P	P	P
Car wash facilities	30-5.5	S	S	-	-	-	P	P	S	P	P	P	P
Civic, social & fraternal organizations		P	P	-	-	-	P	P	P	P	-	-	-
Daycare center	30-5.7	P	P	P	P	P	P	-	-	P	P	-	-
Drive-through facility	30-5.9	P	P	-	-	-	P	P	P	P	P	P	P
Emergency shelters		P	P	P	P	P	P	P	P	P	P	P	P
Equipment sales, rental and leasing, heavy		-	-	-	-	-	-	-	-	-	-	P	P
Equipment sales, rental and leasing, light		-	P	P	P	-	P	P	-	P	P	P	P
Food distribution center for the needy	30-5.12	-	-	-	-	-	S	-	S	S	-	-	-
Food truck	30-5.35	P	P	A	A	P	P	P	P	P	P	P	P
Fuel dealers		S	S	-	-	-	S	P	-	-	-	P	P
Funeral homes and crematories		P	P	P	P	-	P	P	-	-	-	-	-
Gasoline/alternative fuel stations	30-5.13	S	S	-	-	-	P	P	P	S	P	S	S
Go-cart raceway and rentals (indoor and outdoor)		-	-	-	-	-	-	-	-	-	-	S	S
Health services		P	P	P	P	P	-	-	-	-	P	-	-
Hotels and motels		S	S	-	-	S	P	-	P	P	S	-	-
Ice manufacturing/vending machines	30-5.38	-	-	-	-	-	S	S	S	A	A	A	A
Industrial	30-5.14	-	-	-	-	-	-	-	-	-	-	P	P
Job training and vocational rehabilitation services		-	P	-	-	-	P	-	-	P	P	P	-
Junkyard/Salvage Yard	30-5.15	-	-	-	-	-	-	-	-	-	-	S	P

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
Laboratories, medical and dental		P	P	P	P	P	P	-	-	P	P	P	P
Large-scale retail		-	P	-	-	-	P	P	P	P	-	-	-
Libraries		-	P	-	-	P	-	-	-	-	P	-	-
Light assembly, fabrication, and processing	30-5.16	P	P	-	S	S	S	P	-	P	P	P	P
Liquor stores		P	P	-	-	-	P	P	P	-	P	-	-
Medical marijuana dispensaries		P	P	A <sup>1</sup>	A <sup>1</sup>	A <sup>2</sup>	P	-	-	-	-	-	-
Microbrewery Microwinery Microdistillery <sup>3</sup>	30-5.17	S	P	-	-	-	P	-	P	P	P	P	P
Mini-warehouses, self-storage		-	-	-	-	-	-	-	-	P	P	P	P
Museums and art galleries		P	P	P	P	P	P	-	P	P	P	-	-
Offices		P	P	P	P	P	P	P	P	P	P	P	P
Offices, medical and dental		P	P	P	P	P	P	-	P	-	P	-	-
Outdoor storage, principal use	30-5.19	-	-	-	-	-	-	-	-	S	P	P	P
Parking, surface (as a principal use)	30-5.20	-	S	-	-	-	S	P	-	P	P	-	-
Passenger transit or rail stations		S	S	-	-	P	P	P	P	P	P	P	-
Personal services		P	P	P	P	P	P	P	P	P	P	P	P
Places of religious assembly	30-5.21	P	P	P	P	P	P	P	P	P	P	-	-
Public administration buildings		P	P	P	P	P	P	P	P	P	P	P	-
Public maintenance and storage facilities		-	-	-	-	-	-	-	-	P	P	P	P
Public parks		S	S	S	S	P	P	P	P	P	P	P	P
Recreation, indoor		P	P	P	P	P	P	P	P	P	P	P	P
Recreation, outdoor		-	-	-	-	-	S	P	P	S	-	P	P
Recycling centers		-	S	-	-	-	S	-	-	-	S	S	P
Rehabilitation centers	30-5.24	S	S	S	S	-	S	-	-	S	-	S	-
Research, development and testing facilities		-	-	-	-	P	P	-	-	P	P	P	P
Residences for destitute people	30-5.22	S	S	S	S	-	S	-	S	-	-	-	-
Restaurants		P	P	-	S	P	P	P	P	P	P	P	P
Retail nurseries, lawn and garden supply stores		P	P	-	-	-	P	P	-	P	P	P	-
Retail sales (not elsewhere classified)		P	P	-	-	S	P	P	P	P	P	S	S

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
Schools, elementary, middle & high (public & private)		P	P	S	S	-	P	-	-	-	P	-	-
Schools, professional		P	P	P	P	P	P	P	-	P	P	P	P
Schools, vocational and trade		-	P	P	P	-	P	P	-	P	P	P	P
Scooter or electric golf cart sales		P	P	-	-	-	P	P	-	P	-	P	-
Sexually-oriented cabarets	30-5.23	-	-	-	-	-	-	-	P	-	-	-	P
Sexually-oriented motion picture theaters	30-5.23	-	-	-	-	-	-	-	P	-	-	-	P
Sexually-oriented retail store	30-5.23	-	-	-	-	-	P	-	P	-	-	-	P
Skilled nursing facility		P	P	-	P	P	P	-	-	-	P	-	-
Social service facility	30-5.25	S	S	S	S	-	-	-	-	-	P	S	S
Solar generation station	30-5.27	-	-	-	-	-	-	-	-	P	-	P	P
Truck or bus terminal/maintenance facilities		-	-	-	-	-	-	P	P	P	P	P	P
Vehicle repair	30-5.28	-	-	-	-	-	-	P	P	P	-	P	P
Vehicle rental		-	-	-	-	-	P	P	P	P	P	P	-
Vehicle sales (no outdoor display)		-	-	-	-	-	P	P	P	P	-	P	-
Vehicle sales (with outdoor display)		-	-	-	-	-	-	P	-	P	-	P	P
Vehicle services	30-5.28	S	S	-	-	-	P	P	P	P	S	P	P
Veterinary services	30-5.29	P	P	P	P	P	P	P	P	P	P	P	P
Warehouse/distribution facilities (<100,000 SF)		-	-	-	-	-	-	-	-	P	P	P	P
Warehouse/distribution facilities (>100,000 SF)		-	-	-	-	-	-	-	-	P	P	P	P
Waste management facilities		-	-	-	-	-	-	-	-	S	-	P	P
Wholesale trade		-	-	-	-	-	-	S	-	P	P	P	P
Wireless communication facilities	30-5.30												

- 1 **LEGEND:**
- 2 P = Permitted by right; S = Special Use Permit; A = Accessory; Blank = Use not allowed.
- 3 1 = Only when accessory to and in the same building as health services or offices of physicians, dentists,
- 4 and other health practitioners.
- 5 2 = Accessory to and in the same building as health services and comprising less than 25% of the gross
- 6 floor area of the building.
- 7 3 = Prohibited where adjacent to single-family zoned property.

**Section 30-4.20. Dimensional Standards.**

The following tables contain the dimensional standards for the various uses allowed in each district.

**Table V - 8: Mixed-Use and Nonresidential Districts Dimensional Standards.**

	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	W	BI	I-1	I-2
<b>DENSITY/INTENSITY</b>												
Residential density (units/acre)												
Min <sup>1</sup>	8	12	None	None	10	None	None	None	8	None	None	None
Max	30	30	20	20	30	None	None	None	30	None	None	None
Nonresidential building coverage	60%	75%	40%	50%	50%	None	None	None	None	None	None	None
Nonresidential GLA (max)	100,000 <sup>2</sup>	None <sup>2</sup>	None	None	None	None	None	None	None	None	None	None
<b>LOT STANDARDS</b>												
Min lot area (sq. ft.)	None	None	6,000	6,000	None	None	None	6,000	None	None	None	None
Min lot width (ft.)	None	None	60	60	None	None	None	60	None	None	None	None
Min lot depth (ft.)	None	None	90	90	None	None	None	90	None	None	None	None
<b>SETBACKS (ft.)</b>												
Front	10 min 100 max	10 min 100 max	10 min 100 max	10 min 100 max	10 min 100 max	10 min 100 max	15 min	10 min 100 max	25 min	25 min	25 min	25 min
Side-street (min)	15	15	10	10	10	10	15	10	25	20	25	25
Side-interior (min)	10	10	10	10	10	10	10	10	10 <sup>4</sup>	10	10 <sup>4</sup>	20 <sup>4</sup>
Rear (min)	10	10	10	10	10	10	15	10	10 <sup>4</sup>	20	10 <sup>4</sup>	10 <sup>4</sup>
<b>MAXIMUM BUILDING HEIGHT (stories)</b>												
By right	5	5	3	3	5	5	5	5	5	5	5	5
With building height bonus	8	8	-	-	8	8	-	8	-	-	-	-

**LEGEND:**

1 = Lots that existed on November 13, 1991, as recorded in the city and that are less than or equal to 0.5 acres in size are exempt from minimum density requirements.

2 = Developments of 50,000 sq. ft. or more of gross leasable area shall be located along arterials or collectors, as defined in the official roadway map.

3 = Where the yard abuts and is used for access to a railroad siding, the minimum setback shall be zero feet.

4 = Where the rear or side yard abuts U1 or single-family residential zoning or a historic district, Section 30-4.8 development compatibility standards shall apply.



tabbles  
**EXHIBIT**  
**B-5**

Depart  
Pla  
PO Box  
Gainesville, FL  
306 N.E. 6<sup>th</sup> Avenue  
P: (352) 334-5022  
P: (352) 334-5023  
F: (352) 334-2648

**TO:** Dean Mimms, AICP, Planner 3

**FROM:** Mark Brown, PWS, CPSS, Environmental Coordinator **DATE:** September 22, 2017  
*Mark Brown*

**SUBJECT:** Environmental Memorandum  
Petition – Legacy Fountains of Gainesville and Henderson Property –  
Large-scale Comprehensive Plan Amendment (Ls-CPA) and Rezoning Applications  
Southwest corner of the SW 52<sup>nd</sup> Street and SW 20<sup>th</sup> Avenue intersection.

The subject petition include an Ls-CPA to change the existing Future Land Use (FLU) designation from Planned Unit Development (PUD) and Residential Medium (RM) to Mixed Use Low Intensity (MUL) and a companion rezoning that requests a zoning change from Planned Development (PD) to RMF-6 to Mixed-Use Low Intensity (MU-1). The entire site total 18.46-acres) include the Legacy Fountains PD (Alachua County Tax Parcels 066880-003-000, 06680-003-0001) and a portion of the Henderson property to the south (06680-000-000). The site is located at the southwest corner of the SW 52<sup>nd</sup> Street/SW 62<sup>nd</sup> Blvd. and SW 20<sup>th</sup> Avenue intersection and is the remaining undeveloped corner at the intersection.

The subject site has been reviewed for considerations relating to the presence of environmental resources regulated by the City’s Land Development Code (LDC), Article VIII, Division 4 - *Surface Waters and Wetlands*. The subject parcel doesn’t possess wetlands, drainage swales, ditches or other surface water wetlands; therefore the proposed project is exempt from criteria stipulated in the LDC Division 4.

The site is also reviewed for consideration of criteria stipulated in the LDC, Article VIII, Division 3 - *Natural and Archaeological Resources*. As indicated on the figure to the right, all three associated parcels are located within the designated “Hogtown Creek Strategic Ecosystem.”

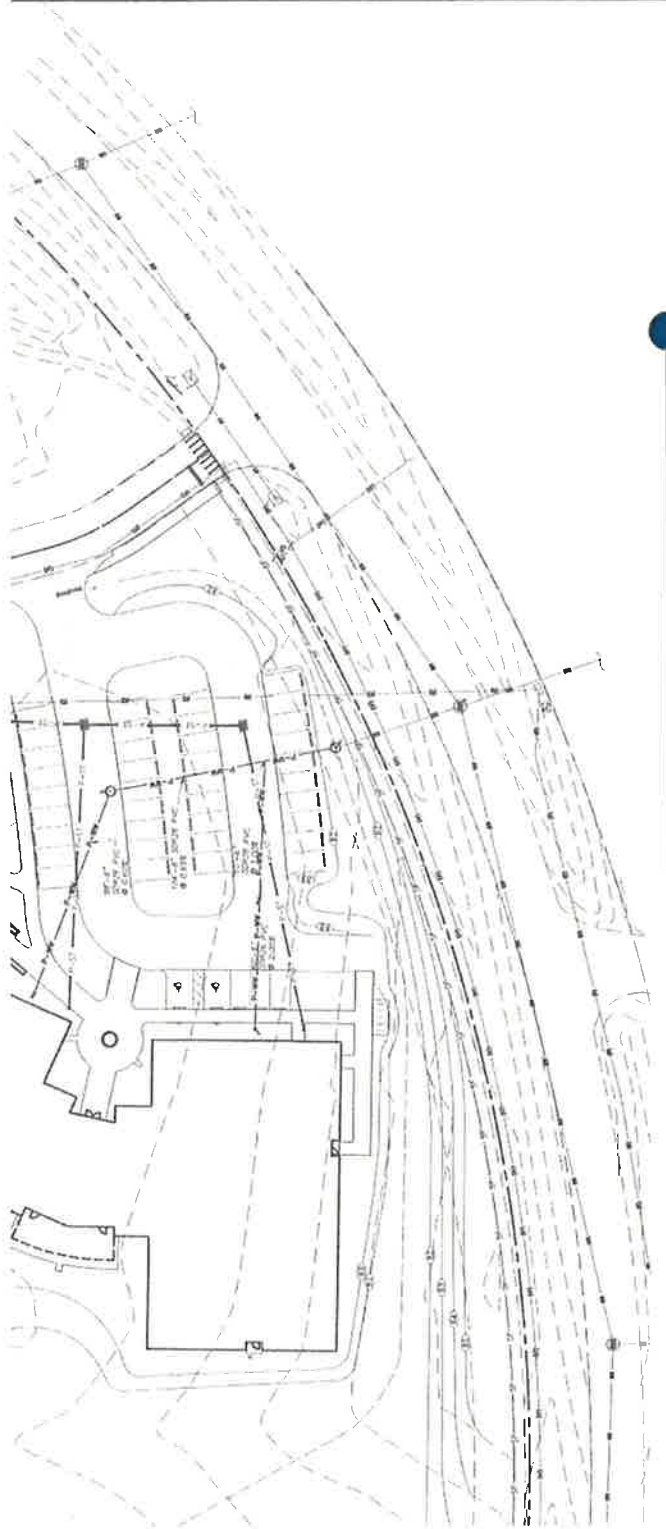
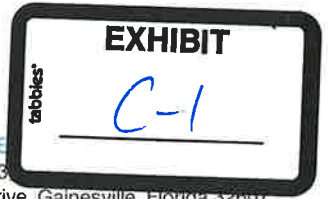


As referenced in the environmental evaluations conducted and reported by CHW (2010) and Dr. David Hall (2006), during the existing Legacy Fountain PD’s review process, it was determined the subject site has specific areas and vegetative components that achieve designation as “significant uplands.” As referenced per Division 3 - Section 30-8.13.C.3., depending on the quality and specific areas of significant uplands within a “planning parcel” located in a designated strategic ecosystem; “no more than 50% of the upland portion of the

parcel may be required to be set aside for protection of all regulated natural and archaeological resources, including the uplands within the identified Strategic Ecosystems resource area.” The petition application depicts anticipated set-aside areas for the anticipated residential facility adjacent to SW 20<sup>th</sup> Avenue. Since the entire 18.46-acres is currently being considered for different projects and it’s been several years since habitat assessment, additional evaluation will be necessary to provide information of habitat and vegetative conditions to determine and incorporate upland set-asides into the design process. The consultant reports also document the presence of critical tree species that will be evaluated for protection and hopefully incorporated into the upland set-aside areas.

A site specific cultural resources survey was conducted by SouthArc in 2007. The conclusion of the report indicated only one portion of a documented artifact site (Melroy site, 8AL0258) within the property, however it “is not significant or eligible for the *National Register of Historic Places*.” I concur with SouthArc’s stated opinion, that anticipated development activities “will not affect significant cultural resources and that no further research should be required.”

**Appendix C Application**



# Legacy Fountains of Gainesville / Henderson Property Rezoning – Application Package August 28, 2017

**Prepared for:**  
City of Gainesville Department of Doing

**Prepared on behalf of:**  
Legacy Fountains of Gainesville, LLC &  
Henderson Land Trust

**Prepared by:**  
CHW

PN# 17-0310



**Application Package**  
**Table of Contents**

- 1. Cover Letter**
- 2. Rezoning Application**
- 3. Property Owner Affidavits**
- 4. Legal Description**
- 5. Property Appraiser Datasheets and Tax Records**
- 6. Neighborhood Workshop Materials**
- 7. Justification Report**
- 8. Attachments**
  - a. Environmental Review Application**
  - b. Map Set**
  - c. Public School Concurrency Form**

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August 28, 2017

Forrest Eddleton  
City of Gainesville Planning & Development Services  
Thomas Center B  
306 NE 6<sup>th</sup> Avenue  
Gainesville, FL 32601

Re: Legacy Fountains of Gainesville and Henderson Property – Large-scale Comprehensive Plan Amendment (Ls-CPA) and Rezoning Applications (Tax Parcel No. 06680-003-000, 06680-003-001, and a portion of 06680-000-000) Gainesville, Florida

Dear Forrest,

On behalf of Legacy Fountains of Gainesville, Inc. and Henderson Land Trust, CHW submits 7 copies of the Ls-CPA and Rezoning applications, which include the following items:

- The required City of Gainesville Ls-CPA and Rezoning applications;
- Property Owner Affidavits; and
- Justification Reports and other supporting information for each application.

Also submitted with each application is a CD-ROM with all application materials, and the following application fees:

- Check No. 1186 for Ls-CPA: \$3,473.00;
- Check No. 1187 for Rezoning: \$3,229.75;

The applications include an Ls-CPA to change the existing Future Land Use (FLU) designation from Planned Unit Development (PUD) (adopted per Ordinance No. 100231) and Residential Medium (RM) to Mixed Use Low Intensity (MUL) and a companion Rezoning application that requests a zoning change from Planned Development (PD) (adopted per Ordinance No. 100327) and RMF-6 to Mixed- Use Low Intensity (MU-1). The site includes the Legacy Fountains PD (Alachua County Tax Parcels 06680-003-000, 06680-003-001) and a portion of Henderson property to the south (06680-000-000). The ±18.46-acre site is located at the southwest corner of the SW 52<sup>nd</sup> Street/SW 62<sup>nd</sup> Blvd. and SW 20<sup>th</sup> Avenue intersection and is the remaining undeveloped corner at this intersection.

In 2012, the City of Gainesville permitted the rezoning of 06680-003-000, 06680-003-001 with 20,000 ft<sup>2</sup> of office, 20,000 ft<sup>2</sup> of retail, a 5,000 ft<sup>2</sup> bank, and 10 dwelling units (du) / (20 bedrooms max.). However, after diligently pursuing potential tenants for half a decade, the site has remained undeveloped. As a result, additional land area will be considered part of the project site and the Ls-CPA and Rezoning applications request straight FLU and Zoning designations. Onsite development will occur consistent with City of Gainesville Comprehensive Plan goals, objectives, and policies and LDC regulations.

We trust this submittal will be sufficient for your review and subsequent approval by the City Plan Board and City Commission. If you have any questions or need additional information, please call me at (352)331-1976.

Sincerely,  
CHW

  
Ryan Thompson, AICP  
Project Manager

**Application Package**  
**Table of Contents**

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**PB-17-93 ZON**

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

<b>OFFICE USE ONLY</b>	
Petition No. _____	Fee: \$ _____
1 <sup>st</sup> Step Mtg Date: _____	EZ Fee: \$ _____
Tax Map No. _____	Receipt No. _____
Account No. 001-660-6680-3401 [ ]	
Account No. 001-660-6680-1124 (Enterprise Zone) [ ]	
Account No. 001-660-6680-1125 (Enterprise Zone Credit [ ]	

<b>Owner(s) of Record (please print)</b>	
Name: Legacy Fountains of Gainesville, LLC	
Address: 1223 NW 114th Drive	
Gainesville, FL 32606	
Phone: contact agent	Fax: contact agent
<b>(Additional owners may be listed at end of applic.)</b>	

<b>Applicant(s)/Agent(s), if different</b>	
Name: CHW	
Address: 132 NW 76th Drive	
Gainesville, FL 32607	
Phone: 352-331-1976	Fax: 352-331-2476

*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:**

<b>Future Land Use Map</b> [ ]	<b>Zoning Map</b> [X]	<b>Master Flood Control Map</b> [ ]
Present designation:	Present designation: PD, RMF-6	<b>Other</b> [ ] Specify:
Requested designation:	Requested designation: MU-1	

**INFORMATION ON PROPERTY**

1. Street address: Southwest corner of the SW 52nd Street and SW 20th Avenue intersection
2. Map no(s):
3. Tax parcel no(s): 06680-003-000, 06680-003-001, and a portion of 06680-000-000
4. Size of property: ±18.5 _____ acre(s)
<i>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.</i>

**Certified Cashier's Receipt:**

5. Legal description (attach as separate document, using the following guidelines):
- a. Submit on 8 ½ 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 *SW 20th Avenue / Apartment Complex / Utilities*

South *Vacant Residential*

East *SW 52nd Street / Apartment Complex*

West *Interstate 75 / Vacant*

B. Are there other properties or vacant buildings within ½ mile of the site that have the proper land use and/or zoning for your intended use of this site?

NO  X

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

- 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**

*Please see the attached Justification Report for the response to this question.*

**Noise and lighting**

*Please see the attached Justification Report for the response to this question.*

- 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)

*This project site is within the uplands area designated by the Comprehensive Plan. Please see the attached Justification Report for the response to this question.*

- 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

*Please see the attached Justification Report for an explanation of this item.*

- 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

Activity Center

Strip Commercial

Urban Infill

Urban Fringe

Traditional Neighborhood

Explanation of how the proposed development will contribute to the community.  
*Please see the attached Justification Report for an explanation of this item.*

G. What are the potential long-term economic benefits (wages, jobs & tax base)?  
*Please see the attached Justification Report for an explanation of this item.*

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

Roadways  
*Please see the Justification Report.*

Recreation  
*Please see the Justification Report.*

Water and Wastewater  
*Please see the Justification Report.*

Solid Waste  
*Please see the Justification Report.*

Mass Transit  
*Please see the Justification Report.*

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

NO  YES  (please explain)

*The site is located along RTS routes 20 and 21. Sidewalks serve the site to the north and east. Please see the Justification 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).

Owner of Record	
Name: Legacy Fountains of Gainesville, LLC	
Address: 1223 NW 114th Drive	
Gainesville, FL 32606	
Phone: contact agent      Fax: contact agent	
Signature:	

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

Owner of Record	
Name: Henderson Land Trust	
Address: 3501 S Main Street Suite 1	
Gainesville, FL 32601	
Phone: contact agent      Fax: contact agent	
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.

[Signature]  
Owner/Agent Signature

8/28/17  
Date

STATE OF FLORIDA  
COUNTY OF Alachua

Sworn to and subscribed before me this 28<sup>th</sup> day of August 2017, by (Name)  
Kyle Thompson



[Signature]  
Signature - Notary Public

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

**Application Package**  
**Table of Contents**

1. Cover Letter
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8. Attachments
  - a. Environmental Review Application
  - b. Map Set
  - c. Public School Concurrency Form

# PROPERTY OWNER AFFIDAVIT

<b>Owner Name:</b> Legacy Fountains of Gainesville, LLC			
<b>Address:</b> 1223 NW 114th Drive Gainesville, FL 32606		<b>Phone:</b> contact agent	
<b>Agent Name:</b> CHW			
<b>Address:</b> 132 NW 76th Drive Gainesville, FL 32607		<b>Phone:</b> 352-331-1976	
<b>Parcel No.:</b> 06680-003-000 and 06680-003-001			
<b>Acreage:</b> ±6.4 acres	<b>S:</b> 10	<b>T:</b> 10	<b>R:</b> 19
<b>Requested Action:</b> Comprehensive Plan Amendment and Rezoning			

**I hereby certify that:** I am the owner of the subject property or a person having a legal or equitable interest therein. I authorize the above listed agent to act on my behalf for the purposes of this application.

Property owner signature: \_\_\_\_\_

Printed name: GEORGE E. FLETCHER

Date: 8-24-17

The foregoing affidavit is acknowledged before me this 24 day of August, 2017, by George E. Fletcher, who is/are personally known to me, or who has/have produced \_\_\_\_\_ as identification.

NOTARY SEAL

Amy Gnann

Signature of Notary Public, State of Florida



AMY GNANN  
MY COMMISSION # FF 227567  
EXPIRES: May 5, 2019  
Bonded Thru Budget Notary Services

# PROPERTY OWNER AFFIDAVIT

Owner Name: Henderson Land Trust			
Address: 3501 South Main Street, Suite 1 Gainesville, FL 32601		Phone: contact agent	
Agent Name: CHW			
Address: 132 NW 76th Drive Gainesville, FL 32607		Phone: 352-331-1976	
Parcel No.: portion of 06680-000-000			
Acreage: ±13.65	S: 10	T: 10	R: 19
Requested Action: Comprehensive Plan Amendment and Rezoning			

I hereby certify that: I am the owner of the subject property or a person having a legal or equitable interest therein. I authorize the above listed agent to act on my behalf for the purposes of this application.

Property owner signature: *James D. Henderson II*

Printed name: James D. Henderson II

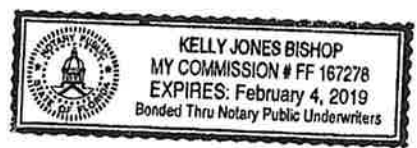
Date: 8-28-17

The foregoing affidavit is acknowledged before me this 28<sup>th</sup> day of August, 2017, by James D. Henderson, II, who is/are personally known to me, or who has/have produced \_\_\_\_\_ as identification.

NOTARY SEAL

*Kelly Jones Bishop*

Signature of Notary Public, State of \_\_\_\_\_



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## DESCRIPTION

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**DATE:** 24 AUGUST 2017  
**CLIENT:** FLETCHER DEVELOPMENT  
**PROJECT NAME:** LEGACY FOUNTAIN OF GAINESVILLE  
**PROJECT NO:** 17-0310  
**DESCRIPTION FOR:** OVERALL ZONING PARCEL

A PARCEL OF LAND SITUATED IN LOTS 3, 4, 5 AND 6 OF JOHN B. DENTON LANDS AS RECORDED IN PLAT BOOK A, AT PAGE 10 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 3 FOR A POINT OF REFERENCE; THENCE RUN NORTH 00°31'21"WEST, ALONG THE WEST LINE OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, A DISTANCE OF 319.31 FEET TO THE SOUTH THE RIGHT OF WAY LINE OF SW 20<sup>th</sup> AVENUE, (100 FOOT WIDE RIGHT OF WAY); THENCE RUN NORTH 89°33'49"EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 1363.26 FEET TO IT'S INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE 75, (300 FOOT LIMITED ACCESS RIGHT OF WAY) AND THE **POINT OF BEGINNING**; THENCE RUN NORTH 89°33'49"EAST, ALONG SAID SOUTH RIGHT OF WAY LINE OF SW 20<sup>th</sup> AVENUE, A DISTANCE OF 936.24 FEET; THENCE CONTINUE ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 45°26'11"EAST, A DISTANCE OF 35.36 FEET TO THE WEST RIGHT OF WAY LINE OF SW 52<sup>nd</sup> STREET, ( A 100 FOOT WIDE RIGHT OF WAY); THENCE RUN ALONG SAID WEST RIGHT OF WAY LINE SOUTH 00°26'11"EAST, A DISTANCE OF 770.03 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 1605.65 FEET; THENCE RUN 898.34 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 32°03'22", SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 16°27'52"EAST, 886.67 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 32°29'32"EAST, A DISTANCE OF 287.85 FEET TO THE END OF SAID RIGHT OF WAY; THENCE RUN NORTH 57°30'28"EAST, A DISTANCE OF 100.00 FEET; THENCE RUN SOUTH 32°29'32"EAST, A DISTANCE OF 193.62 FEET TO THE NORTH LINE OF LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1997 AT PAGE 2456 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 89°32'26"WEST, ALONG SAID LINE, A DISTANCE OF 243.97 FEET TO IT'S INTERSECTION WITH THE AFOREMENTIONED NORTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE 75; THENCE RUN ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, NORTH 32°35'02" WEST, A DISTANCE OF 1076.78 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 23095.33 FEET; THENCE RUN 1312.24 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 3°15'20" AND SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 34°12'42"WEST, 1312.06 FEET TO THE END OF SAID CURVE AND THE **POINT OF BEGINNING**.  
ALL LYING AND BEING IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA.

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  - a. Environmental Review Application
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  - c. Public School Concurrency Form



P-50  
.70

3

THIS INSTRUMENT PREPARED BY  
AND RETURN TO:  
Miriam Cruz-Bustillo, Esq.  
Dell, Graham, Willcox, Barber,  
Jopling, Comfort, Schwait  
& Gershow, P.A.  
P.O. Box 850  
Gainesville, FL 32602  
Florida Bar No. 561673

Grantor's S.S. No. \_\_\_\_\_  
Grantee's S.S. No. \_\_\_\_\_  
Tax Parcel Id. No. 06680-000-000

RECORDED  
OFFICIAL RECORDS  
29 FEB 15 PM 3:33  
ALACHUA COUNTY, FL

**QUIT CLAIM DEED**

THIS QUIT CLAIM DEED, executed this 9<sup>th</sup> day of December, 1993, by JAMES D. HENDERSON, II and FREDERICK HENDERSON, each individually and as Co-Trustees of the ROBINSON LAFAYETTE HENDERSON, JR. TESTAMENTARY TRUST, as heirs or successors to former partners of HENDERSON LAND AND LUMBER COMPANY, a Co-Partnership and Florida General Partnership, whose post office address is 3501 South Main Street, Suite 1, Gainesville, Florida 32601, Grantors, to JAMES D. HENDERSON, II, as Trustee under the provisions of that certain Land Trust Agreement dated July 27, 1988, and known as HENDERSON LAND TRUST, whose post office address is 3501 South Main Street, Suite 1, Gainesville, Florida 32601, Grantee:

(Whenever used herein the terms "grantor" and "grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals; and the successors and assigns of corporations, wherever the context so admits or requires)

WITNESSETH, That the said Grantors, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, do hereby remise, release and quit claim unto the said Grantee, all of the right, title, interest, claim and demand which the said Grantors have in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Alachua, State of Florida, to-wit:

Parcel E-1: The West 2/9 of Lot 2 lying in Section 10, Township 10 South, Range 19 East.

Parcel E-2: Lot One (1) and East 71 acres of Lot Two (2), and all of Lot Three (3), lying Section 10, T10S, R19E, containing 253 acres, more or less.

Parcel E-3: Lots 4, 5 and 6, lying in Section 10, T10S, R19E, LESS that portion of Lot 6 more particularly described as follows: Commence at the S. E. corner of Lot 6 and run North 565 5/7 feet; thence run West 1320 feet; thence run South 565 5/7 feet; thence run East 1320 feet to the Point of Beginning.

LESS AND NOT INCLUDING PROPERTY INTERESTS HERETOFORE CONVEYED BY R. L. HENDERSON, TRUSTEE (OR AS TRUSTEE), OR HIS SUCCESSORS IN INTEREST, FROM THE ABOVE PARCELS BY INSTRUMENTS RECORDED IN THE OFFICIAL RECORDS OF ALACHUA COUNTY, FLORIDA, AS FOLLOWS AS APPLICABLE IF SO:

ALL PUBLIC RIGHTS-OF-WAY OF RECORD  
ALL EASEMENTS OF RECORD

- |                     |                       |
|---------------------|-----------------------|
| ORB 466 at Page 180 | ORB 1050 at Page 355  |
| ORB 591 at Page 263 | ORB 1308 at Page 288  |
| ORB 854 at Page 827 | ORB 1564 at Page 1316 |
| ORB 862 at Page 370 | ORB 1574 at Page 337  |
| ORB 966 at Page 406 | ORB 1589 at Page 201  |
| ORB 874 at Page 222 | ORB 1579 at Page 698  |
| ORB 701 at Page 114 | ORB 1603 at Page 1278 |

Doc. St. Mt. \$ 1.70  
J.K. BUDEN, Clerk of Circuit Court  
Alachua County, Florida



THIS INSTRUMENT RECORDED-OR  
AND RETURN TO:  
KEVIN P. LEASURE  
2000 LAURA STREET  
GAINESVILLE, FLORIDA 32608

1251318

OR BK 1950 PG 0452



**THE PROPERTY CONVEYED BY THIS DEED IS NOT HOMESTEAD.**

**TO HAVE AND TO HOLD** the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantors either in law or equity, to the only proper use, benefit and behoof of the said Grantee forever.

**WITH INTENTION TO COMPLY** with Section 689.071, Florida Statutes, full power and authority is granted by this Deed to the Trustee, or his successors, to deal in and with the above property or interests therein or any part thereof, and full power and authority is hereby granted to the Trustee, or his successors, either to protect, conserve and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the real property described herein, and any other property rights of whatsoever nature described herein, or any part of it.

The Trustee shall have no individual liability or obligation whatsoever arising from his ownership, as Trustee, of the legal title to the above property, or with respect to any act done or contract entered into or indebtedness incurred by him in dealing with the above property or in otherwise acting hereunder, except only so far as the above property and trust funds in the actual possession of the Trustee shall be applicable to the payment and discharge thereof. Any and all liability, if any, arising with respect to ownership of the above property shall be solely the responsibility of the Beneficiaries of the Land Trust, no personal liability or responsibility is assumed by or shall be enforced against the Trustee either express or implied.

The interest of each and every beneficiary under this Deed and under the Trust Agreement referred to previously and of all persons claiming under them or through any of them shall be only in the earnings, avails and proceeds arising from the sale or other disposition of the above property, and that interest is hereby defined and declared to be personal property only, and no beneficiary under this Deed shall have any title or interest, legal or equitable, in or to the above property as such, but only an interest in the earnings, avails and proceeds from the above property as aforesaid.

In the event of the death, resignation, removal or incompetency of JAMES D. HENDERSON, II, while serving as Trustee under this Deed, or inability to serve when said Trusteeship would otherwise vest, FREDERICK L. HENDERSON shall, only thereupon, succeed as Trustee under this Deed and shall have all of the powers of Trustees under this Deed herein enumerated, and all parties shall deal with and rely on their dealings with said successor Trustee as fully as they were entitled to deal with the predecessor Trustee under the terms of this Deed.

The death of a Trustee shall be conclusively proved under this Deed when a certified copy of the Death Certificate of the Trustee is recorded on the public records of Alachua County, Florida. The resignation of a Trustee shall be conclusively proved under this Deed when a Notice of Resignation stating that the Trustee is resigning as a Trustee under this Trust Deed signed by the resigning Trustee under this Trust Deed signed by the resigning Trustee and witnessed by two (2) subscribing witnesses and acknowledged by a Notary Public is recorded on the public records of Alachua County, Florida. The removal of a Trustee shall be conclusively proved under this Deed when an Order from a Court of competent jurisdiction or a copy thereof, stating that the Trustee is removed or ordering the Trustee to execute a resignation is recorded on the public records of Alachua County, Florida. The incompetency of a Trustee shall be conclusively proved under this Deed when a duly entered Order of Adjudication of Incompetency concerning the Trustee issued by a Court of competent jurisdiction, or a certified copy thereof, is recorded on the public records of Alachua County, Florida.

"Grantor", "Grantee", "Trustee" and "Beneficiary" are used for

singular or plural, as context requires. Where the terms "Trustee" or "Trustees" are used herein, they shall in each case be considered to include any successor Trustee after such successor Trustee is duly constituted as a Trustee in accordance with the provisions hereof.

IN WITNESS WHEREOF, the said Grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Miriam Cruz-Bustillo  
MIRIAM CRUZ-BUSTILLO

Janet E. Pennell  
JANET E. PENNELL

Miriam Cruz-Bustillo  
MIRIAM CRUZ-BUSTILLO

Janet E. Pennell  
JANET E. PENNELL

James D. Henderson, II  
JAMES D. HENDERSON, II  
individually, and as Co-Trustee  
of the ROBINSON LAFAYETTE  
HENDERSON, JR. TESTAMENTARY  
TRUST

Frederick L. Henderson  
FREDERICK L. HENDERSON,  
individually and as Co-Trustee  
of the ROBINSON LAFAYETTE  
HENDERSON, JR. TESTAMENTARY  
TRUST

ALL OF THE ABOVE, as heirs or successors to former partners of HENDERSON LAND AND LUMBER COMPANY, a Co-Partnership and Florida General Partnership

STATE OF FLORIDA  
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 9th day of February, 1994, by FREDERICK D. HENDERSON, individually and as Co-Trustee of the ROBINSON LAFAYETTE HENDERSON, JR. TESTAMENTARY TRUST.

Miriam Cruz-Bustillo  
Notary Public, State of Florida at Large  
MIRIAM CRUZ-BUSTILLO

Print, Type or Stamp Commissioned Name of Notary Public

Personally known  or Produced Identification

Type of Identification Produced:

- Current Florida Driver's License
- Other \_\_\_\_\_



Acknowledgments continue on separate page.

STATE OF FLORIDA  
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 9th  
day of February, 1994, by JAMES D. HENDERSON, II,  
individually, and as Co-Trustee of the ROBINSON LAFAYETTE  
HENDERSON, JR., TESTAMENTARY TRUST.

Miriam Cruz-Bustillo  
Notary Public, State of Florida at Large  
MIRIAM CRUZ-BUSTILLO



Print, Type or Stamp Commissioned Name  
of Notary Public

Personally known  or Produced Identification

Type of Identification Produced:

- Current Florida Driver's License  
 Other \_\_\_\_\_



**Search Criteria**

**Parcel From:** [06680-000-000](#)  
**Parcel Thru:** [06680-000-000](#)

**Search Date:** 8/16/2017 at 2:40:23 PM

**Parcel:** [06680-000-000](#) [GIS Map](#)

<p><b>Taxpayer:</b> HENDERSON, R L JR TRUSTEE  <b>Mailing:</b> 3501 S MAIN ST STE 1  GAINESVILLE, FL <a href="#">32601-9031</a>  <b>Location:</b>  <b>Sec-Twn-Rng:</b> 10-10-19  <b>Property Use:</b> 09900 - Acrg Not Znd Ag  <b>Tax Jurisdiction:</b> Gainesville 3600  <b>Area:</b> 10-10-19  <b>Subdivision:</b> Placeholder</p>	<p><b>Legal:</b> PB A-10 LOT 1 &amp; E7/9 OF LOT 2 &amp; LOTS 3 4 &amp; 5 LESS R/W &amp; LOT 6 LESS 567 FT OF E 1320 FT LESS OR 591/261 &amp; OR 701/113 &amp; - LESS PART LOT 3 N OF SW-30 &amp; W OF I-75 &amp; PT LOT 2 W OF I-75 PER OR 966/399 LESS BORROW PIT IN E PT OF LOTS 4 5 &amp; 6 PER - OR 1206/819)INC TRIANGLE IN &amp; E OF I-75 IN SEC 9 LESS 16.04 AC TO ALA COUNTY OR 1308/288 LESS ROCKWOOD VILLAS UNITS - 1 &amp; 2 &amp; LESS OR 1564/1316 OR 1577/1485 OR 1578/2861 OR 1579/695 &amp; OR 1574/337 OR 1603/1278 LESS OR 1662/2115 - OR 1662/2121,2127,2130,2133,2136,2124 &amp; 2139 ALSO PBA-10 THAT PART OF W 2/9 OF LOT LYING E OF I-75 OR 1706/2238 &amp; - OR 1706/2254 LESS ALL LYING W OF I-75 (LESS OR 1950/0499 IN LOT 2) LESS PARCELS KNOWN AS PARCELS A &amp; B LESS A-1 - B-1 PER OR 1997/2460) LESS PARCEL E-1 PER OR 1997/2982) LESS PARCELS A-1 A-2 B-1 B-2 &amp; D-1 PER OR 1997/2085) (LESS - OR 2006/0664 &amp; LESS OR 2006/0666) (LESS PARCEL NWLY OF INT OF SW 62 BLVD &amp; CR SW-30 PER OR 2050/5)( LESS COM SW COR - VINTAGE VIEW PH 3 PB O-33 POB E 492.40 FT S 460 FT W 475 FT N 240.83 FT NLY ALG CURVE 220.02 FT POB OR 2110/2498 - (LESS COM SW COR VINTAGE VIEW PH 3 PB O-33 E 492.40 FT S 460 FT POB S 12 FT W 474.97 FT TO E R/W SW 62ND BLVD N - ALG R/W 12 FT E 475 FT POB PER OR 2147/ 0301) (LESS THAT PT N OF SW 20TH AVE PER OWNER'S REQUEST 11/05/03) (LESS - PARCEL PER OR 3142/830 AKA PARCEL # 6680-22)(LESS PARCEL PER OR 3458/0424 AKA PARCEL # 6680-23)(LESS R/W S OF SW - 20TH AVE ACROSS FROM SW 62ND ST PER OR 3744/0536)</p>
--	--

There was 1 parcel found in this search.

[Create download file of selected parcels](#)

The information that is supplied by the Alachua County Property Appraiser's office is public information data and must be accepted and used with the understanding that the data was collected primarily for the use and purpose of creating a Property Tax Roll per Florida Statute. The Alachua County Property Appraiser's Office will not be held liable as to the validity, correctness, accuracy, completeness, and / or reliability of this data. The Alachua County Property Appraiser's Office furthermore assumes no liability whatsoever associated with the use or misuse of this public information data.

2016 Roll Details — Real Estate Account At Unassigned Location RE

Real Estate Account #06680 000 000

[Parcel details](#)

[Latest bill](#)

[Full bill history](#)

[Print this page](#)

2016	2015	2014	2013	...	2002
PAID	PAID	PAID	PAID		PAID

[Get Bills by Email](#)

**PAID** 2016-11-30 \$22,925.85

Receipt #16-0041454

Owner: HENDERSON, R L JR TRUSTEE  
% HENDERSON LAND TRUST  
3501 S MAIN ST STE 1  
GAINESVILLE, FL 32601-9031

Situs: Unassigned Location RE

Account number: ~~08880 000 000~~

Alternate Key: 1053415

Millage code: 3600

Millage rate: 23.0735

Assessed value: 1,035,000

School assessed value: 1,035,000

Unimproved land value: 1,035,000

Property Appraiser

Location is not guaranteed to be accurate.

2016 Annual bill

[View](#)

Ad valorem: \$23,881.09

Non-ad valorem: \$0.00

Total Discountable: ~~23881.09~~

No Discount NAVA: 0.00

Total tax:

Legal description

PB A-10 LOT 1 & E7/9 OF LOT 2 & LOTS 3 4 & 5 LESS R/W & LOT 6 LESS 567 FT OF E 1320 FT LESS OR 591/261 & OR 701/113 & - LESS PART LOT 3 N OF SW-30 & W OF I-75 & PT LOT 2 W OF I-75 PER OR 966/399 LESS BORROW PIT IN E PT OF LOTS 4 5 & 6 PER - OR 1206/819)INC TRIANGLE IN & E OF I-75 IN SEC 9 LESS 16.04 AC TO ALA COUNTY OR 1300/288 LESS ROCKWOOD VILLAS UNITS - 1 & 2 & LESS OR 1564/1316 OR 1577/1485 OR 1578/2861 OR 1579/695 & OR 1574/337 OR 1603/1278 LESS OR 1662/2115 - OR 1662/2121,2127,2130,2133,2136,2124 & 2139 ALSO PBA-10 THAT PART OF W 2/9 OF LOT LYING E OF 1-75 OR 1706/2238 & - OR 1706/2254 LESS ALL LYING W OF I-75 (LESS OR 1950/0499 IN LOT 2) LESS PARCELS KNOWN AS Location

Book, page, Item: ~~2314-2576-~~

Geo number: 10-10-19-~~066800000000~~

Range: 19

Township: 10

Section: 10

Neighborhood: 126310.01

Use code: 09900

Total acres: 13.600



3/24/2016 2:17 PM  
BOOK 4417 PAGE 1609

J. K. IRBY  
Clerk of the Court, Alachua County, Florida  
ERECORDED Receipt# 703973  
Doc Stamp-Mort: \$0.00  
Doc Stamp-Deed: \$0.70  
Intang. Tax: \$0.00

Prepared by and return to:

Ramona M. Chance  
Attorney at Law  
Ramona M. Chance  
4703 NW 53rd Avenue, Suite A-1  
Gainesville, FL 32653  
352-335-3189  
File Number: 16-046  
Will Call No.:

[Space Above This Line For Recording Data]

## Quit Claim Deed

This Quit Claim Deed made this 23 day of March, 2016 between Terry Jackson whose post office address is 1616 NW 19th Circle, Gainesville, FL 32605, grantor, and Legacy Fountains of Gainesville, LLC, a Florida limited liability company, whose post office address is 1223 NW 114th Drive, Gainesville, FL 32606, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in Alachua County, Florida to-wit:

A TRACT OF LAND SITUATED IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF LOT 3 IN SAID SECTION 10 AND RUN NORTH 00 DEG. 31 MIN. 21 SEC. WEST, ALONG THE WEST LINE OF SAID SECTION 10, A DISTANCE OF 319.31 FEET, THENCE RUN NORTH 89 DEG. 33 MIN. 49 SEC. EAST, ALONG THE SOUTH RIGHT OF WAY LINE OF COUNTRY ROAD SW 30, A DISTANCE OF 1363.26 FEET TO AN INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE 75 AND THE POINT OF BEGINNING; THENCE RUN EAST ALONG THE SAID SOUTH RIGHT OF WAY LINE WITH THE FOLLOWING COURSES AND DISTANCES: NORTH 89 DEG. 33 MIN. 49 SEC. EAST, 261.72 FEET NORTH 00 DEG. 26 MIN. 11 SEC. WEST 15.00 FEET; NORTH 89 DEG. 33 MIN. 49 SEC. EAST, 450.00 FEET; NORTH 00 DEG. 26 MIN. 11 SEC. WEST, 10.00 FEET; NORTH 89 DEG. 33 MIN. 49 SEC. EAST, 249.52 FEET; THENCE LEAVE SAID SOUTH RIGHT OF WAY LINE AND RUN SOUTH 00 DEG. 26 MIN. 11 SEC. EAST, 250.00 FEET; THENCE RUN SOUTH 89 DEG. 33 MIN. 49 SEC. WEST, 575.00 FEET; THENCE SOUTH 55 DEG. 11 MIN. 21 SEC. WEST, 188.22 FEET TO THE SAID NORTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE 75; THENCE RUN NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE, WITH A CURVE CONCAVE SOUTHWESTERLY, SAID CURVE HAVING A CENTRAL ANGLE OF 00 DEG. 58 MIN. 55 SEC. A RADIUS OF 23,068.32 FEET, A LENGTH OF 403.85 FEET AND A CHORD OF NORTH 35 DEG. 18 MIN. 44 SEC. WEST, 403.84 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT ANY PORTION OF THE SUBJECT PROPERTY LYING WITHIN SW 62ND BLVD AND COUNTY ROAD NO. SW-30 A/K/A SW 20TH AVE. AND LESS AND EXCEPT ADDITIONAL RIGHT OF WAY AS DESCRIBED IN O.R. BOOK 4086, PAGE 1951, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

Parcel Identification Numbers: 06680-003-000 and Parcel Identification Number: 06680-003-001

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]

Witness Name: Tom O'Rourke

[Signature]  
Witness Name: Thomas R. Diaz

X [Signature] (Seal)  
Terry Jackson

\_\_\_\_\_ (Seal)

STATE OF FLORIDA  
COUNTY OF Polk

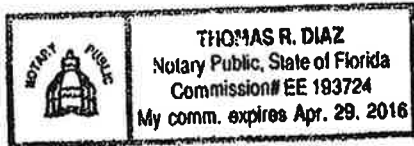
The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of March, 2016, Terry Jackson, who is personally known to me or has produced a FDL as identification.

[Notary Seal]

[Signature]  
Notary Public

Printed Name: Thomas R. Diaz

My Commission Expires: 4/29/16







home  
sweet  
home

Find your dream home with an  
FCU Mortgage Loan!



**Search Criteria**

**Parcel From:** 06680-003-000  
**Parcel Thru:** 06680-003-000

*Search Date: 8/16/2017 at 2:38:40 PM*

**Parcel:** [06680-003-000 GIS Map](#)

<p><b>Taxpayer:</b> LEGACY FOUNTAINS OF GAINESVILL</p> <p><b>Mailing:</b> 1223 NW 114TH DR GAINESVILLE, FL 32606</p> <p><b>Location:</b></p> <p><b>Sec-Twn-Rng:</b> 10-10-19</p> <p><b>Property Use:</b> 01000 - Vacant Comm</p> <p><b>Tax Jurisdiction:</b> Gainesville 3600</p> <p><b>Area:</b> Commercial</p> <p><b>Subdivision:</b> Placeholder</p>	<p><b>Legal:</b> COM SW COR LOT 3 N 319.31 FT TO S R/W CR NW 30 E ALONG R/W 1363.26 FT TO INT WITH NELY R/W I-75 &amp; POB E ALG R/W - 261.72 FT N 15 FT E 450 FT N 10 FT E 249.52 FT S 250 FT W 575 FT S 55 DEG W 188.22 FT TO SAID NELY R/W I-75 - NWLY ALONG SAID R/W 403.81 FT TO POB OR 1578/2861 &amp; OR 1794/1976 (LESS COM AT INTERSECTION OF S R/W CR - SW 30 &amp; NELY R/W I-75 E 215.98 FT POB S 50 FT S 26 DEG W 167.94 FT TO NELY R/W I-75 SELY ALG R/W 159.50 FT N 55 DEG - E 188.22 FT N 240.15 FT TO S R/W CR 30 W 118 FTS 15 FT W 45 FT POB PER OR 1839/ 2137)(LESS N 10 FT OF E 249.52 FOR R/W) - (LESS R/W PER OR 4086/1951) OR 3350/861</p>
---	---

There was 1 parcel found in this search.

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The information that is supplied by the Alachua County Property Appraiser's office is public information data and must be accepted and used with the understanding that the data was collected primarily for the use and purpose of creating a Property Tax Roll per Florida Statute. The Alachua County Property Appraiser's Office will not be held liable as to the validity, correctness, accuracy, completeness, and / or reliability of this data. The Alachua County Property Appraiser's Office furthermore assumes no liability whatsoever associated with the use or misuse of this public information data.



**Alachua County Property Appraiser • 515 N Main Street Suite 200 • Gainesville, FL 32601 • 352-374-5230**  
**(FAX) 352-374-5278**

2016 Roll Details — Real Estate Account At Unassigned Location RE

Real Estate Account #06680 003 000

[Parcel details](#)

[Latest bill](#)

[Full bill history](#)

[Print this page](#)

2016	2015	2014	2013	...	2002
PAID	PAID	PAID	PAID		PAID

[Get Bills by Email](#)

**PAID** 2017-05-16 \$5,246.91

Receipt #16-0168863

Owner: LEGACY FOUNTAINS OF GAINESVILL

1223 NW 114TH DR

GAINESVILLE, FL 32606

Situs: Unassigned Location RE

Account number: 06680 003 000

Alternate Key: 1053420

Millage code: 3600

Millage rate: 23.0735

Assessed value: 219,700

School assessed value: 219,700

Unimproved land value: 219,700

**Property Appraiser**

Location is not guaranteed to be accurate.

2016 Annual bill

[View](#)

Ad valorem: \$5,089.25

Non-ad valorem: \$0.00

Total Discountable: 5069.25

No Discount NAVA: 0.00

Total tax:

**Legal description**

COM SW COR LOT 3 N 319.31 FT TO S R/W CR NW 30 E ALONG R/W 1363.26 FT TO INT WITH NELY R/W I-75 & POB E ALG R/W - 261.72 FT N 15 FT E 450 FT N 10 FT E 249.52 FT S 250 FT W 575 FT S 55 DEG W 100.22 FT TO SAID NELY R/W I-75 - NWLY ALONG SAID R/W 403.81 FT TO POB OR 1578/2861 & OR 1794/1976 (LESS COM AT INTERSECTION OF S R/W CR - SW 30 & NELY R/W I-75 E 215.98 FT POB S 50 FT S 26 DEG W 167.94 FT TO NELY R/W I-75 SELY ALG R/W 159.50 FT N 55 DEG - E 100.22 FT N 240.15 FT TO S R/W CR 30 W 118 FTS 15 FT W 45 FT POB PER OR 1839/ 2137)(LESS N 10 FT OF E 249.52 FOR R/W) - (LESS R/W PER OR 4086/1951) OR 3350/861

Location

Book, page, item: 4417-1609-

Geo number: 10-10-19-06680003000

Range: 19

Township: 10

Section: 10

Neighborhood: 126311.50

Use code: 01000

Total acres: 3.540



Prepared by and return to:  
Ramona M. Chance  
Attorney at Law  
Ramona M. Chance  
4703 NW 53rd Avenue, Suite A-1  
Gainesville, FL 32653  
352-335-3189  
File Number: 16-046  
Will Call No.:

[Space Above This Line For Recording Data]

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**Witnesseth**, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in Alachua County, Florida to-wit:

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Parcel Identification Numbers: 06680-003-000 and Parcel Identification Number: 06680-003-001

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

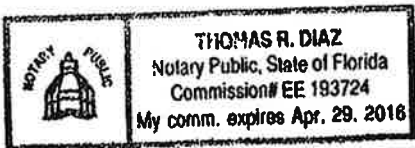
[Signature]  
Witness Name: [Signature]  
[Signature]  
Witness Name: [Signature]

X [Signature] (Seal)  
Terry Jackson  
[Signature] (Seal)

STATE OF FLORIDA  
COUNTY OF Polk

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of March, 2016, Terry Jackson, who is personally known to me or has produced a Real as identification.

[Notary Seal]



[Signature]  
Notary Public  
Printed Name: Thomas R. Diaz  
My Commission Expires: 4/29/16



home  
sweet  
home

Find your dream home with an  
FCU Mortgage Loan!



### Search Criteria

Parcel From: 06680-003-001

Parcel Thru: 06680-003-001

Search Date: 8/16/2017 at 2:39:50 PM

Parcel: 06680-003-001 [GIS Map](#)

<b>Taxpayer:</b> LEGACY FOUNTAINS OF GAINESVILL LLC	<b>Legal:</b> COM AT INTERSECTION S R/W CR SW 30 & NELY R/W I-75 E 215.98 FT POB S 50 FT S 26 DEG W 167.94 FT TO NELY R/W I-75 - SELY ALG R/W 159.50 FT N 55 DEG E 188.22 FT N 240.15 S R/W CR SW 30 FT W 118 FT S 15 FT W 45 FT POB (LESS R/W PER OR - 4086/1951) OR 3350/0859
<b>Mailing:</b> 1223 NW 114TH DR GAINESVILLE, FL 32606	
<b>Location:</b>	
<b>Sec-Twn-Rng:</b> 10-10-19	
<b>Property Use:</b> 00700 - Misc. Residence	
<b>Tax Jurisdiction:</b> Gainesville 3600	
<b>Area:</b> Commercial	
<b>Subdivision:</b> Placeholder	

There was 1 parcel found in this search.

[Create download file of selected parcels](#)

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Alachua County Property Appraiser • 515 N Main Street Suite 200 • Gainesville, FL 32601 • 352-374-5230  
(FAX) 352-374-5278


2016 Roll Details — Real Estate Account At Unassigned Location RE

Real Estate Account #06680 003 001

 Parcel details

 Latest bill

 Full bill history

 Print this page

2016	2015	2014	2013	...	2002
PAID	PAID	PAID	PAID		PAID

 Get Bills by Email

PAID 2017-05-15 \$87.38  
Receipt #16-0188663

Owner: LEGACY FOUNTAINS OF GAINESVILL LLC  
1223 NW 114TH DR  
GAINESVILLE, FL 32606  
Situe: Unassigned Location RE

Account number: 06680 003 001

Alternate Key: 1053421

Millage code: 3600

Millage rate: 23.0735

Assessed value: 2,600

School assessed value: 2,600

Unimproved land value: 100

Property Appraiser

Location is not guaranteed to be accurate.

2016 Annual bill

 View

Ad valorem: \$60.00  
Non-ad valorem: \$0.00  
Total Discountable: 60.00  
No Discount NAVA: 0.00  
Total tax:

Legal description

COM AT INTERSECTION S R/W CR SW 30 & NELY R/W I-75 E 215.98 FT POB S 50 FT S 26 DEG W 167.94 FT TO NELY R/W I-75 - SELY ALG R/W 159.50 FT N 55 DEG E 188.22 FT N 240.15 S R/W CR SW 30 FT W 118 FT S 15 FT W 45 FT POB (LESS R/W PER OR - 4886/1951) OR 3350/0859

Location

Book, page, item: 4417-1809

Geo number: 10-10-19-06680003001

Range: 19

Township: 10

Section: 10

Neighborhood: 126311.50

Use code: 00700

Total acres: 1.310



**Application Package**  
**Table of Contents**

1. Cover Letter
2. Rezoning Application
3. Owner Affidavit
4. Legal Description
5. Property Appraiser Datasheets and Tax Records
- 6. Neighborhood Workshop Materials**
7. Justification Report
8. Attachments
  - a. Environmental Review Application
  - b. Map Set
  - c. Public School Concurrency Form

**Mailed Memorandum**





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## MEMORANDUM

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**To:** Neighbors of the SW 52<sup>nd</sup> Street and SW 20<sup>th</sup> Avenue intersection 17-0310  
**From:** Ryan Thompson, AICP, Planning Project Manager  
**Date:** Thursday, August 10<sup>th</sup>, 2017  
**RE:** Neighborhood Workshop Public Notice

---

A Neighborhood Workshop will be held to discuss a Small-scale Comprehensive Plan Amendment from Planned Use District (PUD) and Residential Medium (RM) to Mixed Use Medium and Rezoning from Planned Development (PD) and Multiple-Family Residential (RMF-6) to Mixed Use Medium Intensity (MU-2) on ±6.4 acres (Alachua County Tax Parcels 06680-003-000 and 06680-003-001, and a portion of 06680-000-000.) The site is located at the southwest corner of the SW 52<sup>nd</sup> Street and SW 20<sup>th</sup> Avenue intersection in Gainesville, FL. Permitted uses within the proposed Future Land Use and Zoning allow a mix of employment, retail, professional, service and residential uses.

**Date:** Thursday, August 24<sup>th</sup>, 2017  
**Time:** 6:00 p.m.  
**Place:** CHW's Office (Conference Room B)  
132 NW 76 Drive,  
Gainesville, FL 32607  
**Contact:** Ryan Thompson, AICP  
(352) 331-1976

This is not a public hearing. The purpose of the workshop is to inform the public about the nature of the proposal and seek their comments.

## **Mailing Labels**

**Neighborhood Workshop Notice**

5th Avenue  
ROBERTA PARKS  
616 NW 8 ST  
GAINESVILLE, FL 32602

**Neighborhood Workshop Notice**

CITY OF GAINESVILLE  
ATTN: MIKE HOGE  
PO BOX 490 MS 11  
GAINESVILLE, FL 32627

**Neighborhood Workshop Notice**

Ashton  
ROXANNE WATKINS  
4415 NW 58 AVE  
GAINESVILLE, FL 32653

**Neighborhood Workshop Notice**

Azalea Trails  
MARIE SMALL  
1265 SE 12 AVE  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

REGINA HILLMAN  
506 NW 30 STREET  
GAINESVILLE, FL 32607

b

**Neighborhood Workshop Notice**

Capri  
JOHN DOLES  
4539 NW 37 TER  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Carol Estates South  
BECKY RUNNESTRAND  
1816 NE 16 TER  
GAINESVILLE, FL 32609

**Neighborhood Workshop Notice**

Cedar Grove II  
HELEN HARRIS  
1237 NE 21 ST  
GAINESVILLE, FL 32641

**Neighborhood Workshop Notice**

Creekwood  
HELEN SCONYERS  
2056 NW 55 BLVD.  
GAINESVILLE, FL 32653

**Neighborhood Workshop Notice**

Debra Heights  
SARAH POLL  
PO BOX 14198  
GAINESVILLE, FL 32604

**Neighborhood Workshop Notice**

Northwood at Possum Creek  
WES WHEELER  
4728 NW 37 WAY  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Duval  
GILBERT S MEANS, SR  
2153 SE HAWTHORNE RD, #111  
PO BOX 7  
GAINESVILLE, FL 32641

**Neighborhood Workshop Notice**

Edgewood Hills  
BONNIE O'BRIAN  
2329 NW 30 AVE  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

LEE NELSON  
DIRECTOR OF REAL ESTATE – UF  
204 TIGERT HALL  
PO BOX 113100  
GAINESVILLE, FL 32611-3100

**Neighborhood Workshop Notice**

Gateway Park  
HAROLD SAIVE  
1716 NW 10 TER  
GAINESVILLE, FL 32609

**Neighborhood Workshop Notice**

Golfview  
CHRIS MONAHAN  
222 SW 27 ST  
GAINESVILLE, FL 32607

**Neighborhood Workshop Notice**

Greater Northeast Community  
MIRIAM CINTRON  
915 NE 7 AVE  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Grove Street  
MARIA HUFF-EDWARDS  
1102 NW 4 ST  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Hazel Heights  
ALLAN MOYNIHAN  
PO BOX 357412  
GAINESVILLE, FL 32635

**Neighborhood Workshop Notice**

Hibiscus Park  
CAROL BISHOP  
2616 NW 2 AVE  
GAINESVILLE, FL 32607

**Neighborhood Workshop Notice**

Hidden Lake  
GEORGE KASNIC  
2116 NW 74 PL  
GAINESVILLE, FL 32653

**Neighborhood Workshop Notice**

Highland Court Manor  
DAVID SOUTHWORTH  
3142 NE 13 ST  
GAINESVILLE, FL 32609

**Neighborhood Workshop Notice**

Ironwood  
NANCY TESTA  
4207 NE 17 TER  
GAINESVILLE, FL 32609

**Neighborhood Workshop Notice**

Kensington Park  
MAXINE HINGE  
5040 NW 50 TER  
GAINESVILLE, FL 32606

**Neighborhood Workshop Notice**

Kingswood Court  
JOHN ORTON  
5350 NW 8 AVE  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Kirkwood  
JANE BURMAN-HOLTON  
701 SW 23 PL  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Lamplighter  
LARRY NICHOLSON (PROP MGR)  
5200 NE 50 DR  
GAINESVILLE, FL 32609

**Neighborhood Workshop Notice**

Landmark Woods  
JACK OSGARD  
4332 NW 12 PL  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Las Pampas  
PETER JANOSZ  
3418 NW 37 AVE  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Woodland Terrace  
PETER PRUGH  
207 NW 35 ST  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Lincoln Estates  
DORIS EDWARDS  
1040 SE 20 ST  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Mason Manor  
JOANNA LEATHERS  
2550 NW 13 AVE  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

North Lincoln Heights  
ANDREW LOVETTE SR.  
430 SE 14 ST  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Northwood  
SUSAN W. WILLIAMS  
PO BOX 357492  
GAINESVILLE, FL 32653

**Neighborhood Workshop Notice**

Northeast Neighbors  
SHARON BAUER  
1011 NE 1 AVE  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Northwest Estates  
VERN HOWE  
3710 NW 17 LN  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Oakview  
DEBRA BRUNER  
914 NW 14 AVE  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Appletree  
JUDITH MORROW  
3616 NW 54 LANE  
GAINESVILLE, FL 32653

**Neighborhood Workshop Notice**

Pine Park  
DELORES BUFFINGTON  
721 NW 20 AVE  
GAINESVILLE, FL 32609

**Neighborhood Workshop Notice**

Kirkwood  
KATHY ZIMMERMAN  
1127 SW 21 AVE  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Pleasant Street  
DOTTY FAIBISY  
505 NW 3 ST  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Porters Community  
GIGI SIMMONS  
712 SW 5 ST  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Rainbows East  
JOE THOMAS  
5014 NW 24 TER  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Rainbows End  
SYLVIA MAGGIO  
4612 NW 21 DR  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Raintree  
RONALD BERN  
1301 NW 23 TER  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Ridgeview  
ROB GARREN  
1805 NW 34 PL  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Ridgewood  
KERRI CHANCEY  
1310 NW 30 ST  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Royal Gardens  
DOUGLAS BURTON  
2720 NW 27 PL  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Shadow Lawn Estates  
CONNIE SPITZNAGEL  
3521 NW 35 PL  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

South Black Acres  
DEANNA MONAHAN  
14 SW 32 ST  
GAINESVILLE, FL 32607

**Neighborhood Workshop Notice**

Southeast Evergreen Trails  
MAUREEN RESCHLY  
1208 SE 22 AVE  
GAINESVILLE, FL 32641

**Neighborhood Workshop Notice**

Springhill/Mount Olive  
VIVIAN FILER  
1636 SE 14 AVE  
GAINESVILLE, FL 32641

**Neighborhood Workshop Notice**

Springtree  
KATHY MEISS  
2705 NW 47 PL  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Stephen Foster  
ROBERT PEARCE  
714 NW 36 AVE  
GAINESVILLE, FL 32609

**Neighborhood Workshop Notice**

Suburban Heights  
BETH GRAETZ  
4321 NW 19 AVE  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Sugarfoot Community/Anglewood  
HEATHER REILLY  
426 SW 40 TERRACE  
GAINESVILLE, FL 32607

**Neighborhood Workshop Notice**

Sugarhill  
CYNTHIA COOPER  
1441 SE 2 TER  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Sutters Landing  
PETER REBMAN  
3656 NW 68 LN  
GAINESVILLE, FL 32653

**Neighborhood Workshop Notice**

Turkey Creek Forest Owners Assn  
ATTN: RITA SMITH  
8620 NW 13 ST, #210 CLUBHOUSE OFFICE  
GAINESVILLE, FL 32653

**Neighborhood Workshop Notice**

University Park  
JIMMY HARNSBERGER  
402 NW 24 ST  
GAINESVILLE, FL 32604

**Neighborhood Workshop Notice**

University Village  
BRUCE DELANEY  
1710 NW 23 ST  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Forest Ridge/Henderson Heights  
JUANITA CASAGRANDE  
1911 NW 22 DRIVE  
GAINESVILLE, FL 32605-3953

**Neighborhood Workshop Notice**

Appletree  
CHRIS GARCIA  
5451 NW 35 DR  
GAINESVILLE, FL 32653

**Neighborhood Workshop Notice**

Ashton  
ASHTON HOMEOWNERS ASSOC  
5200 NW 43 ST STE 102  
GAINESVILLE, FL 32606

**Neighborhood Workshop Notice**

Duckpond  
STEVE NADEAU  
2821 NW 23 DR  
GAINESVILLE, FL 32605

**Neighborhood Workshop Notice**

Duckpond  
MELANIE BARR  
216 NE 5 ST  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Front Porch Florida, Duval  
JUANITA MILES HAMILTON  
2419 NE 8 AVE  
GAINESVILLE, FL 32641

**Neighborhood Workshop Notice**

Porters  
RUBY WILLIAMS  
237 SW 6 ST  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Porters  
INA HINES  
320 SW 5 AVE  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

School Board  
VICK McGRATH  
3700 NE 53 AVE  
GAINESVILLE, FL 32609

**Neighborhood Workshop Notice**

University of Florida  
LINDA DIXON  
PO BOX 115050  
GAINESVILLE, FL 32611

**Neighborhood Workshop Notice**

University Park  
MEL LUCAS  
620 E UNIVERSITY AVE  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Millennium Bank  
DANNY GILLILAND  
4340 NEWBERRY RD  
GAINESVILLE, FL 32607

**Neighborhood Workshop Notice**

Florida Bank  
LAUDE ARNALDI  
13840 W NEWBERRY RD  
NEWBERRY, FL 32669

**Neighborhood Workshop Notice**

LARRY SCHNELL  
2048 NW 7 LN  
GAINESVILLE, FL 32603

**Neighborhood Workshop Notice**

MAC McEACHERN  
1020 SW 11 TER  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Stephen Foster Neighborhood Assoc, Inc  
MARIA PARSONS  
439 NW 37 AVENUE  
GAINESVILLE, FL 32609

**Neighborhood Workshop Notice**

BOBBIE DUNNELL  
3118 NE 11 TER  
GAINESVILLE, FL 32609

**Neighborhood Workshop Notice**

JAMES WOODLAND  
225 SE 14 PL  
GAINESVILLE, FL 32601

**Neighborhood Workshop Notice**

Bivens North Association  
PENNY WHEAT  
2530 SW 14 DR  
GAINESVILLE, FL 32608

**Neighborhood Workshop Notice**

STEWART WELLS  
6744 NW 36 DR  
GAINESVILLE, FL 32653

**Neighborhood Workshop Notice**

BELLINGTON'S CUSTOM SERVICE  
% BRAXTON LINTON  
1907 SE HAWTHORNE RD  
GAINESVILLE, FL 32641

**Neighborhood Workshop Notice**

KAREN BILLINGS  
2123 NW 72 PL  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice  
06677-001-000 Legacy Fountain  
CITY OF GAINESVILLE  
% LAND RIGHTS COORDINATOR  
PO BOX 490 MS 58  
GAINESVILLE, FL 32627

Neighborhood Workshop Notice  
06680-022-000 Legacy Fountain  
CH REALTY VII PREISS SH GAINESVILLE  
CABANA BEACH  
1700 HILLSBOROUGH ST  
RALEIGH, NC 27605

Neighborhood Workshop Notice  
06680-000-000 Legacy Fountain  
R L JR TRUSTEE HENDERSON  
% HENDERSON LAND TRUST  
3501 S MAIN ST STE 1  
GAINESVILLE, FL 32601-9031

Neighborhood Workshop Notice  
06680-003-000 \*\*\* Legacy Fountain  
LEGACY FOUNTAINS LLC  
1223 NW 114TH DR  
GAINESVILLE, FL 32606

Neighborhood Workshop Notice  
06680-013-000 Legacy Fountain  
PEP-UF LLC  
8880 RIO SAN DIEGO DR STE 750  
SAN DIEGO, CA 92108

Neighborhood Workshop Notice  
06683-000-000 Legacy Fountain  
SP MO APARTMENTS LLC  
5403 WEST GRAY ST  
TAMPA, FL 33609

## **Newspaper Advertisement**

# NATION & WORLD

## FBI agents searched former Trump campaign chair's home

By Chad Day and Eric Tucker  
The Associated Press

WASHINGTON — FBI agents looking for financial documents have searched one of the homes of President Donald Trump's former campaign chairman, Paul Manafort, whose past foreign political work has been swept into the investigations into Russian interference in the 2016 election. A Manafort spokesman confirmed the search Wednesday.

Manafort spokesman Jason Maloni said in a statement that FBI agents had obtained a warrant and searched one of Manafort's homes, but he would not say when the search occurred or what it was for.

"Mr. Manafort has consistently cooperated with law enforcement and other serious inquiries and did so on this occasion as well," Maloni said.

The Associated Press has learned the warrant for the search on July 26 at Manafort's home in Alexandria, Virginia, sought information including tax documents and banking records. The Washington Post first reported the raid.

Manafort has been a subject



Then-Trump campaign chairman Paul Manafort walks around the convention floor July 18, 2016, before the opening session of the Republican National Convention in Cleveland. (THE ASSOCIATED PRESS FILE PHOTO)

of a longstanding FBI investigation into his dealings in Ukraine and work for the country's former president, Viktor Yanukovich. That investigation has been incorporated into the probe led by special counsel Robert Mueller, who is also scrutinizing Manafort's role in the Trump campaign as he looks into Russia's meddling in the

2016 election and any possible collusion with Trump associates. Manafort, who led the Trump campaign for several months, has denied any wrongdoing. He also spoke behind closed doors to Senate investigators for an interview just one day before the search of his home.

The use of a search warrant indicates that law enforcement officials have convinced a judge there is probable cause to believe a crime may have been committed. A house raid can be seen as an aggressive tactic given that Manafort has been cooperating with congressional investigators and has turned over hundreds of pages of documents.

## Trump hits McConnell for Senate crash of health repeal

By Alan Fram  
The Associated Press

WASHINGTON — President Donald Trump scolded his own party's Senate leader on Wednesday for the crash of the Republican drive to repeal and rewrite the Obama health care law, using Twitter to demand of Majority Leader Mitch McConnell, "Why not done?"

Trump fired back at the Kentucky Republican for telling a home-state audience this week that the president had "not been in this line of work before, and I think had excessive expectations about how quickly things happen in the democratic process."

The exchange came less than two weeks after Senate rejection of the GOP effort to scuttle President Barack Obama's health care law, probably McConnell's most jolting defeat as leader and Trump's worst legislative loss. The House approved its version in May, but its Senate failure — thanks to defecting GOP senators — marked the collapse of the party's attempt to deliver on vows to erase Obama's statute. It's showcased since the law's 2010 enactment.

### DATELINES

#### NEW YORK



Acting Brooklyn District Attorney Eric Gonzalez, second left, discusses during a news conference his office's request to dismiss about 143,400 arrest warrants for people who didn't pay tickets for minor offenses years ago, Wednesday in Brooklyn, N.Y. He is flanked by New York City Council Speaker Melissa Mark-Viverito, left, and New York City Public Advocate Letitia James, third left. (JENNIFER PELTZ/THE ASSOCIATED PRESS)

#### NEW YORK

**6 workers sue swanky hotel, allege sexual harassment**

Six current or former employees have filed a sexual harassment lawsuit against The Plaza Hotel.

The bartenders, servers and hospitality coordinators say they were groped, catcalled and propositioned by managers and other co-workers while working at the New York City hotel's Palm Court restaurant.

The suit says a manager comed and forcibly kissed one of the women in a coat-check closet and shoved his hands down her pants during a performance review.

It says the women's complaints were ignored and they were subjected to retaliation.

Various claims involve a period from late 2014 until the present.

#### MARBLEHEAD, OHIO

**Police: Woman posts video of herself being raped**

Authorities in Ohio say a woman posted Snapchat video of herself being raped, and a friend who saw it alerted police.

Ottawa County Prosecutor James VanKerten says he believes the video clearly shows a sexual

assault taking place.

He says it's unclear whether the young woman live-streamed the attack or posted the video shortly afterward.

Police in Danbury Township near Marblehead say they arrested 77-year-old James Allen on a rape charge Tuesday, the day the video was posted.

Allen is being held on a \$1 million bond. He appeared in court Wednesday and told a judge he didn't have an attorney but plans on hiring one.

#### VANDERGRIFT, PA.

**Police: Toddler OK after ride down 100-foot-high hill in SUV**

Pennsylvania police say a 2-year-old boy "was happy as could be" and wasn't injured after his and an SUV rolled down a 100-foot-high hill.

Vandergrift police say the toddler was apparently playing inside the sport utility vehicle as his mother was cleaning it Tuesday and he must have knocked it out of "park."

Police say his mother tried to stop the vehicle as it rolled down the driveway and headed toward the top of the hill but she was slightly run over and dragged in her attempt.

The SUV landed near

#### NAIROBI, KENYA



Supporters of Kenyan opposition leader and presidential candidate Raila Odinga demonstrate in the Kilera area, blocking roads with burning tires Wednesday in Nairobi, Kenya. Police opened fire Wednesday to disperse rioters in several areas after Odinga alleged election fraud, saying hackers used the identity of a murdered official to infiltrate the database of the election commission and manipulate results in favor of President Uhuru Kenyatta. (KHALIL SENOS/THE ASSOCIATED PRESS)

#### TEL AVIV, ISRAEL

**Netanyahu rips media, opposition in face of case**

Israel's embattled prime minister, Benjamin Netanyahu, lashed out at the media and his political opponents in an animated speech to hundreds of enthusiastic supporters on Wednesday, seeking to deliver a powerful show of force as he battles a slew of corruption allegations that have threatened to drive him from office.

Netanyahu's Likud Party organized Wednesday's rally in response to a swirling police investigation into suspected corruption, bribery and fraud by the longtime Israeli leader.

Party leaders described the gathering as an attempt to counter what they believe is a campaign by a hostile media and overzealous police and prosecutors.

#### DUBAI, UNITED ARAB EMIRATES



A man shows his pet falcon Jan. 16, 2011, at a Doha's Souq Waqif, Qatar. Qatar announced on Wednesday it was scrapping visa requirements for visitors from 90 countries as it seeks to boost a boom in tourism and gears up to host the World Cup in 2022. Under the new policy announced by Qatar Airways and authorities, citizens of 33 mostly European countries can enter without a visa for 90 days in single or multiple trips during a 100-day period. (THE ASSOCIATED PRESS FILE PHOTO)

**PUBLIC NOTICE**

A Neighborhood Workshop will be held to discuss a Small-scale Comprehensive Plan Amendment from PUD to Mixed Use Medium and Rezoning from PD to Mixed Use Medium Intensity (MU-2) on 26.4 acres (Alachua County Tax Parcels 06680-003-000 & 06680-003-001, and a portion of 06680-000-000.) The site is located at the southwest corner of the SW 52<sup>nd</sup> Street and SW 20<sup>th</sup> Avenue intersection in Gainesville, FL.

This is not a public hearing. The purpose of this workshop is to inform the public about the nature of the proposal and seek their comments.

Time: 6:00pm on Thursday, August 24<sup>th</sup>, 2017  
Location: CHW's Office, 132 NW 76 Drive, Conference Room B, Gainesville, FL 32607.

Contact: Ryan Thompson, AICP  
Phone Number: (352) 331-1976

**CHW**  
Community Hearing Workshop

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**P**



## **Workshop Presentation**



**Legacy Fountains of  
Gainesville /  
Henderson Property**

**Large-scale Comprehensive  
Plan Amendment (Ls-CPA)  
and Rezoning Applications**

Neighborhood Workshop  
August 24, 2017



## Meeting Overview



### **The purpose of the neighborhood workshop:**

- The City of Gainesville requires **all Ls-CPA and Rezoning applicants** to host a neighborhood workshop;
- The purpose is to **inform neighbors** of the proposed development's nature and to get feedback early in the development process; and
- This workshop provides the applicant with an opportunity to **mitigate concerns** prior to the application's submission.

# Public Notification

**MEMORANDUM**

**To:** Neighbors of the SW 52<sup>nd</sup> Street and SW 20<sup>th</sup> Avenue Intersection 17 0210

**From:** Ryan Thompson, AICP, Planning Project Manager

**Date:** Thursday, August 10<sup>th</sup>, 2017

**RE:** Neighborhood Workshop Public Notice

A Neighborhood Workshop will be held to discuss a Small-scale Comprehensive Plan Amendment from Planned Use District (PUD) and Residential Medium (RM) to Mixed Use Medium and Rezoning from Planned Development (PD) and Murple Family Residential (SMF-R) to Mixed Use Medium Intensity (MU-2) on ±6.4 acres (Alachua County Tax Parcels 06680-003-000 and 06680-003-001, and a portion of 06680-000-000.) The site is located at the southwest corner of the SW 52<sup>nd</sup> Street and SW 20<sup>th</sup> Avenue intersection in Gainesville, FL. Permitted uses within the proposed Future Land Use and Zoning allow a mix of employment, retail, professional, service and residential uses.

**Date:** Thursday, August 24<sup>th</sup>, 2017


**Time:** 6:00 p.m.

**Place:** CHW's Office (Conference Room B)  
132 NW 76 Drive  
Gainesville, FL 32607

**Contact:** Ryan Thompson, AICP  
(352) 331-1976

This is not a public hearing. The purpose of this workshop is to inform the public about the nature of the proposal and seek their comments.

Professional Consultants



**PUBLIC NOTICE**


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**Contact:** Ryan Thompson, AICP  
**Phone Number:** (352) 331-1976




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professional consultants

# Application Review Process



Neighborhood Workshop	August 24 <sup>th</sup> , 2017
Submit Rezoning Application	August 28 <sup>th</sup> , 2017
Staff Review	September - October
Planning Board Public Hearing	October 26 <sup>th</sup> , 2017
City Commission Public Hearing First Reading/Transmittal Hearing	November 16 <sup>th</sup> , 2017
City Commission Public Hearing Second Reading/Adoption Hearing	January 18 <sup>th</sup> , 2018 (Tentative)

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# Proposed Amendments



## Request:

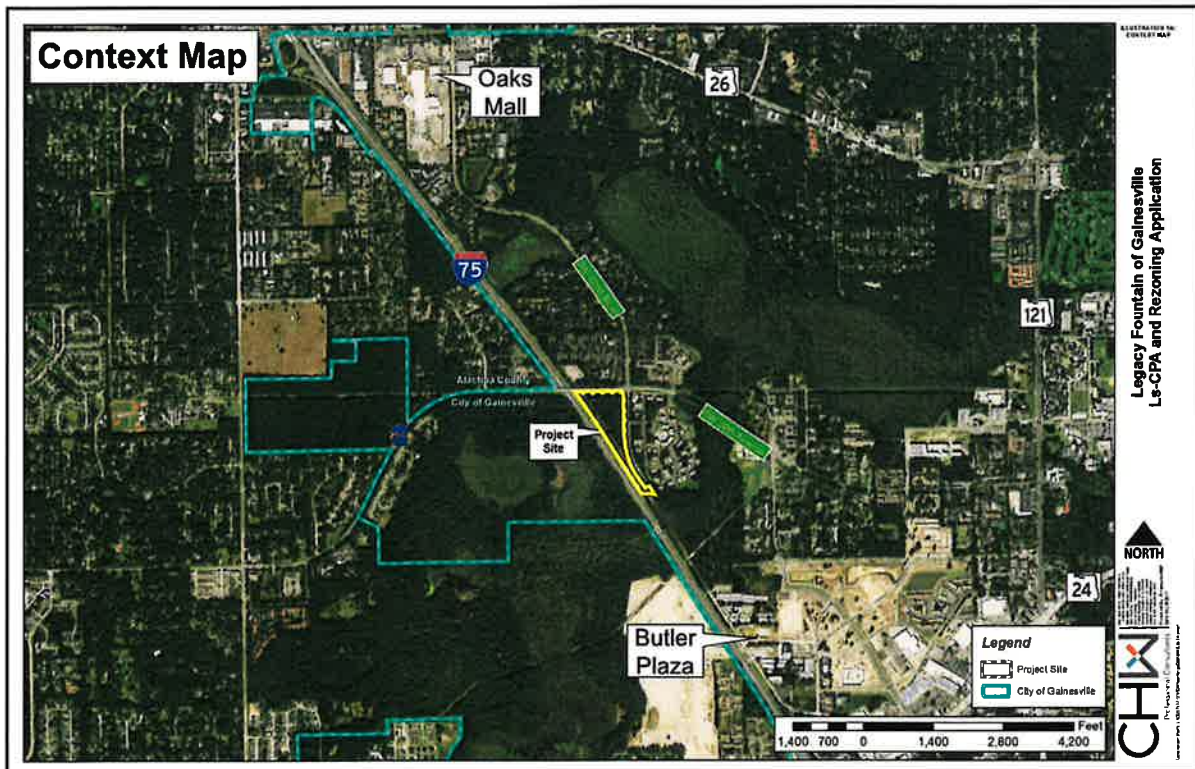
- Amend the Future Land Use to an urban-scale mixed use category, such as **Mixed-use Low Intensity**.
- Amend the Zoning to **Mixed-use Low (MU-1)**.

## Intent:

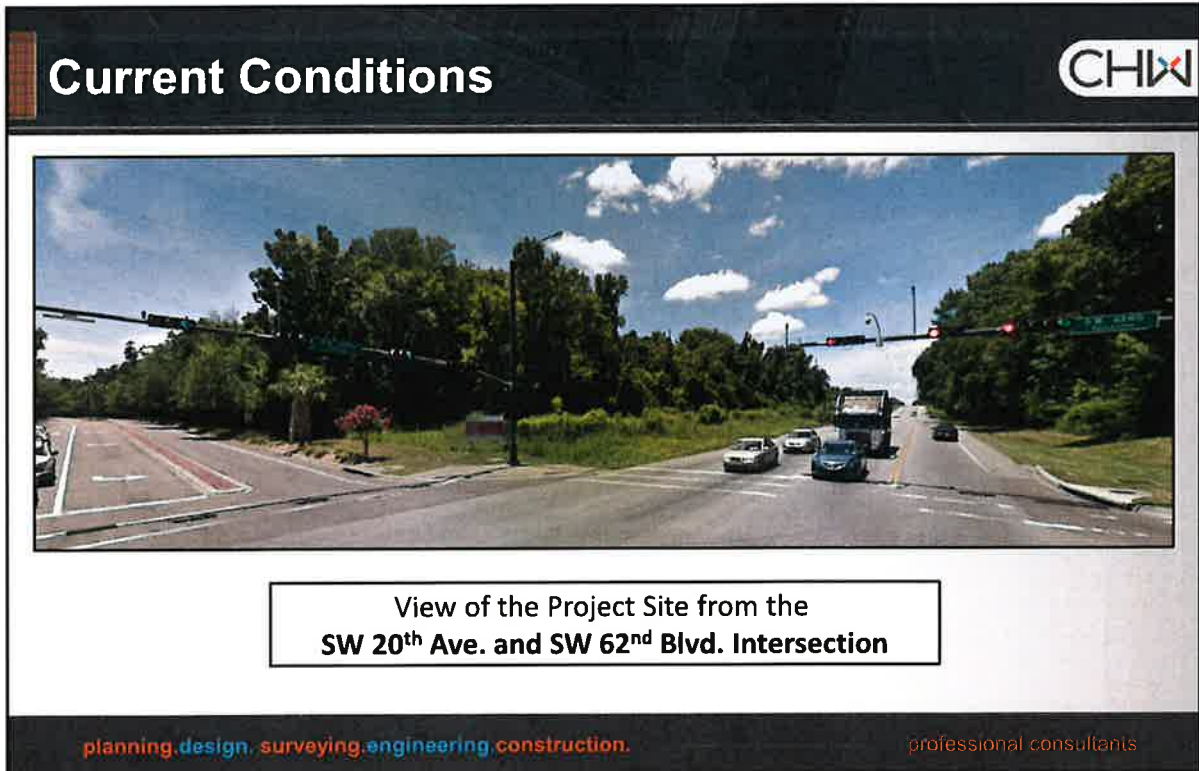
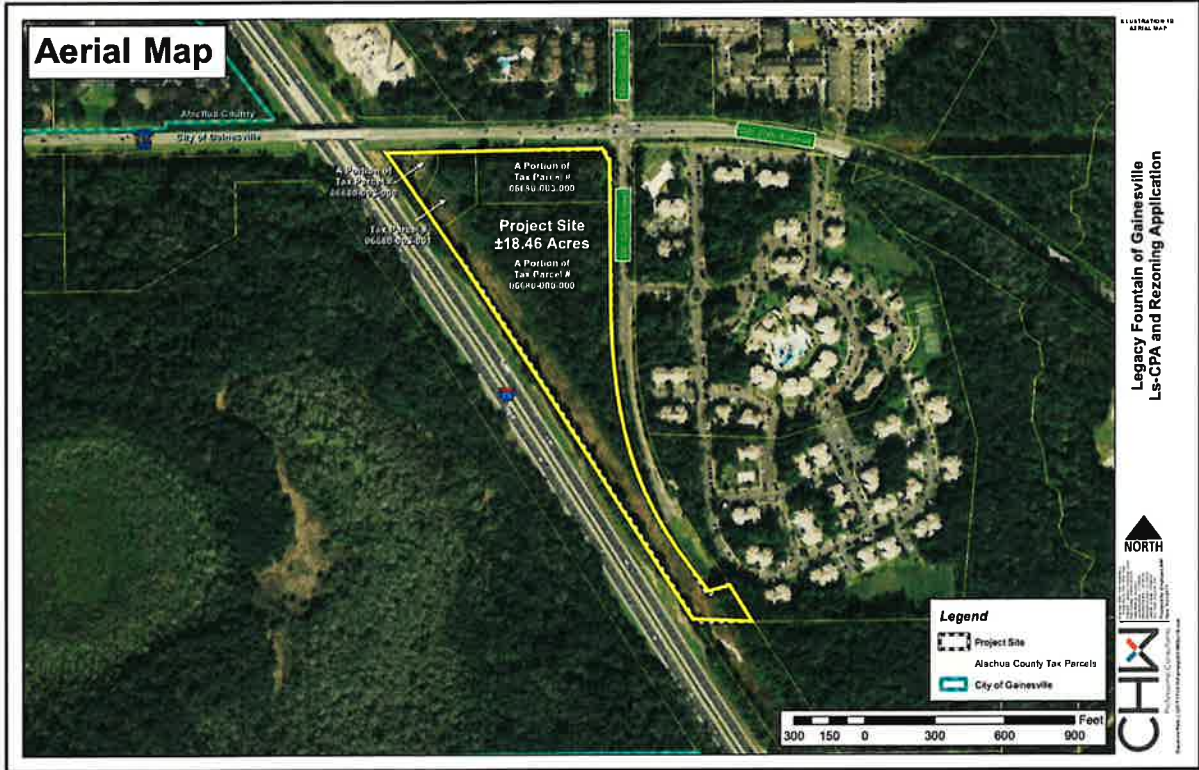
- **Expand the project site** to include the parcel to the south.
- **Permit mixed use development** on the project site.

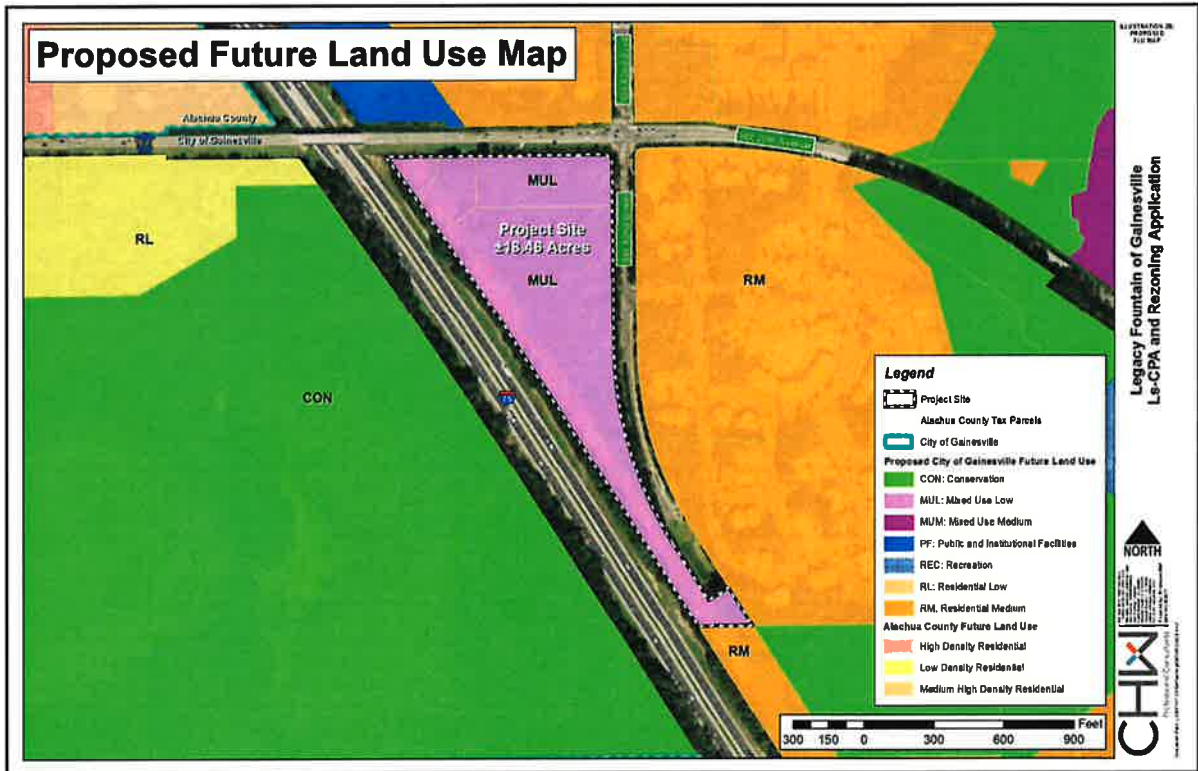
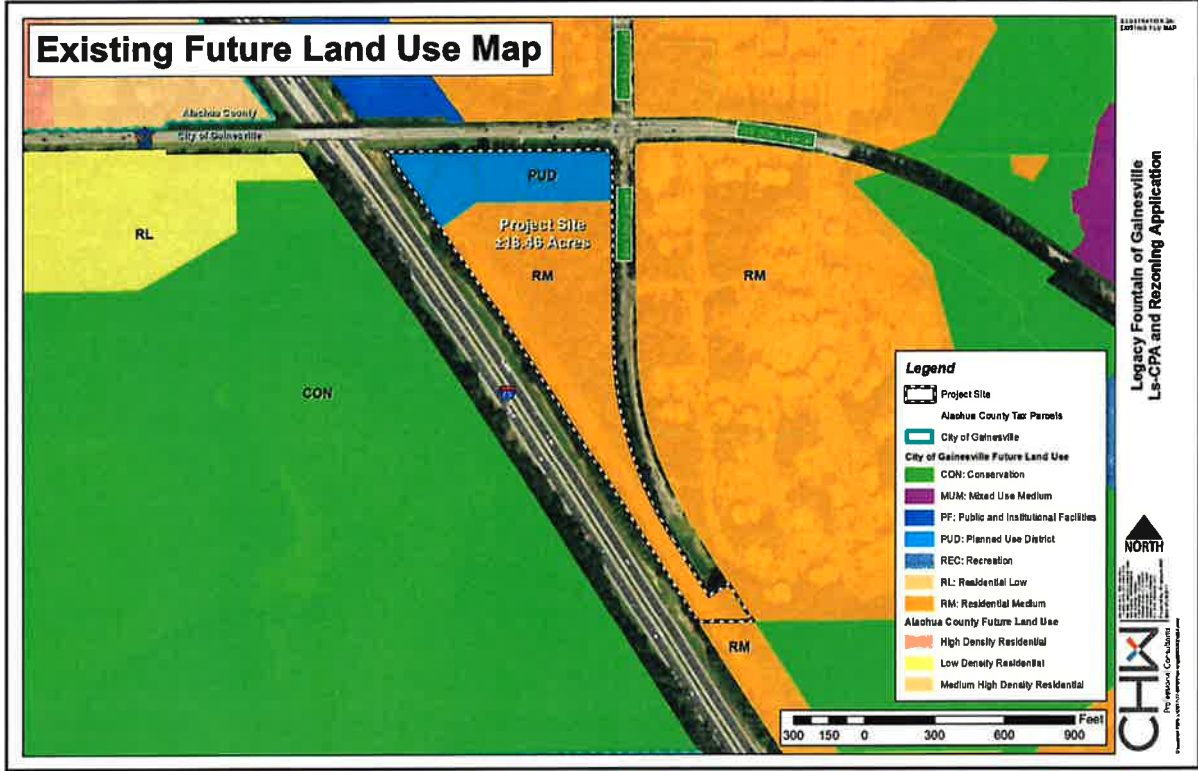
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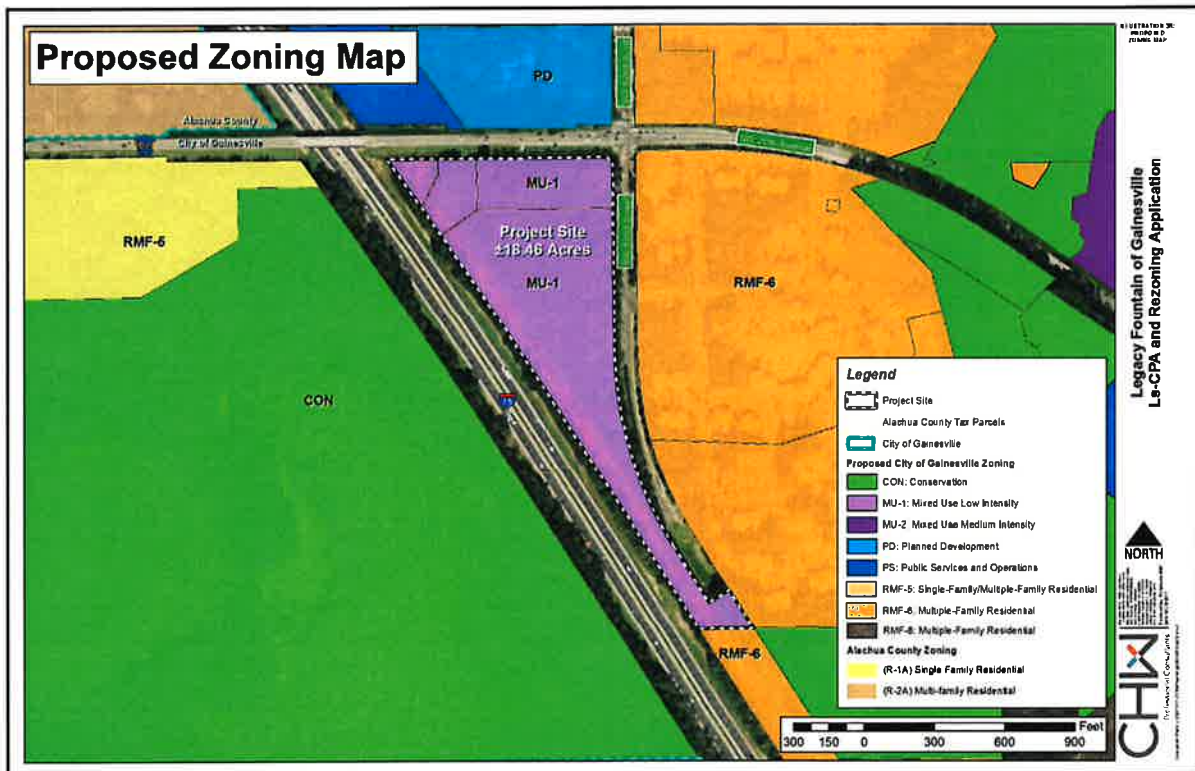
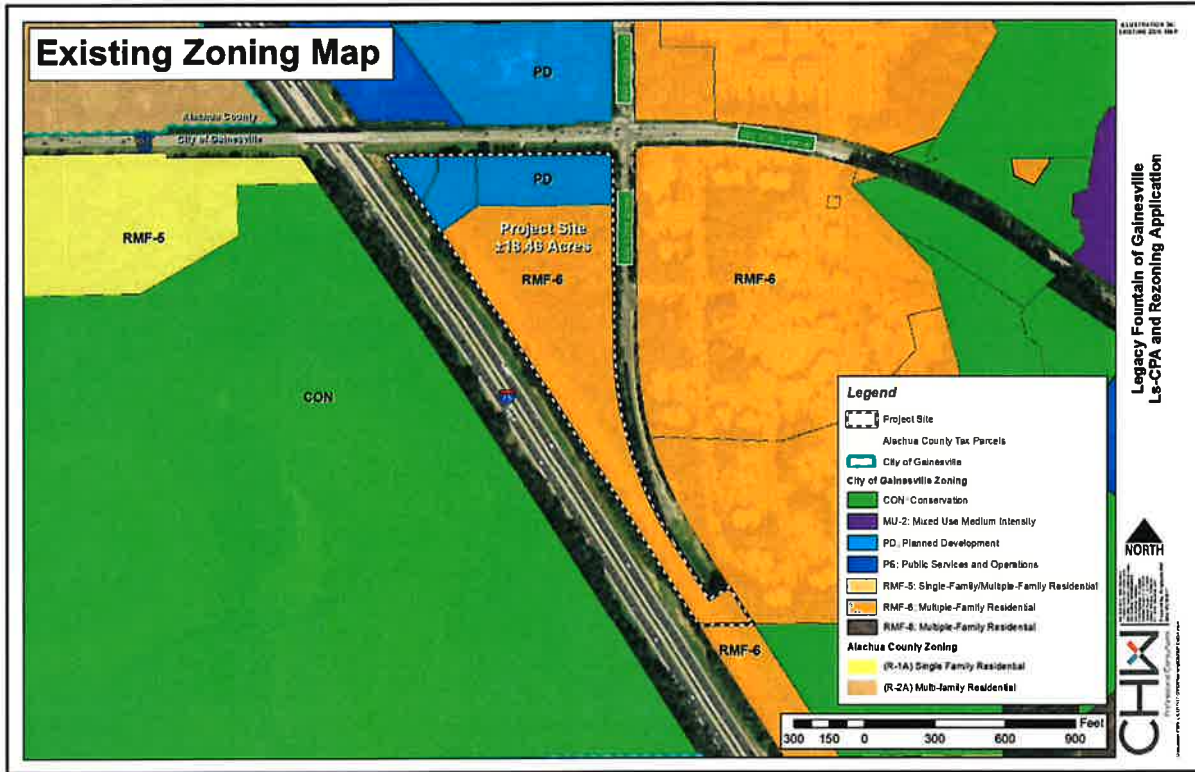


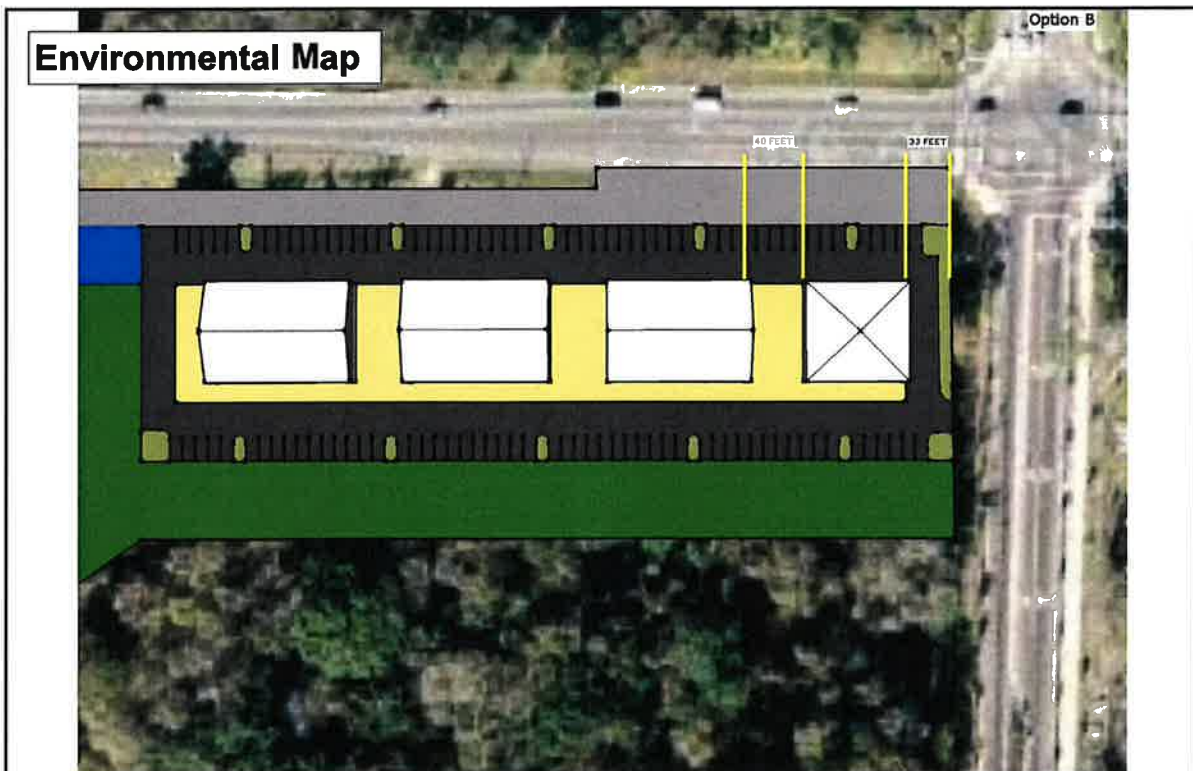
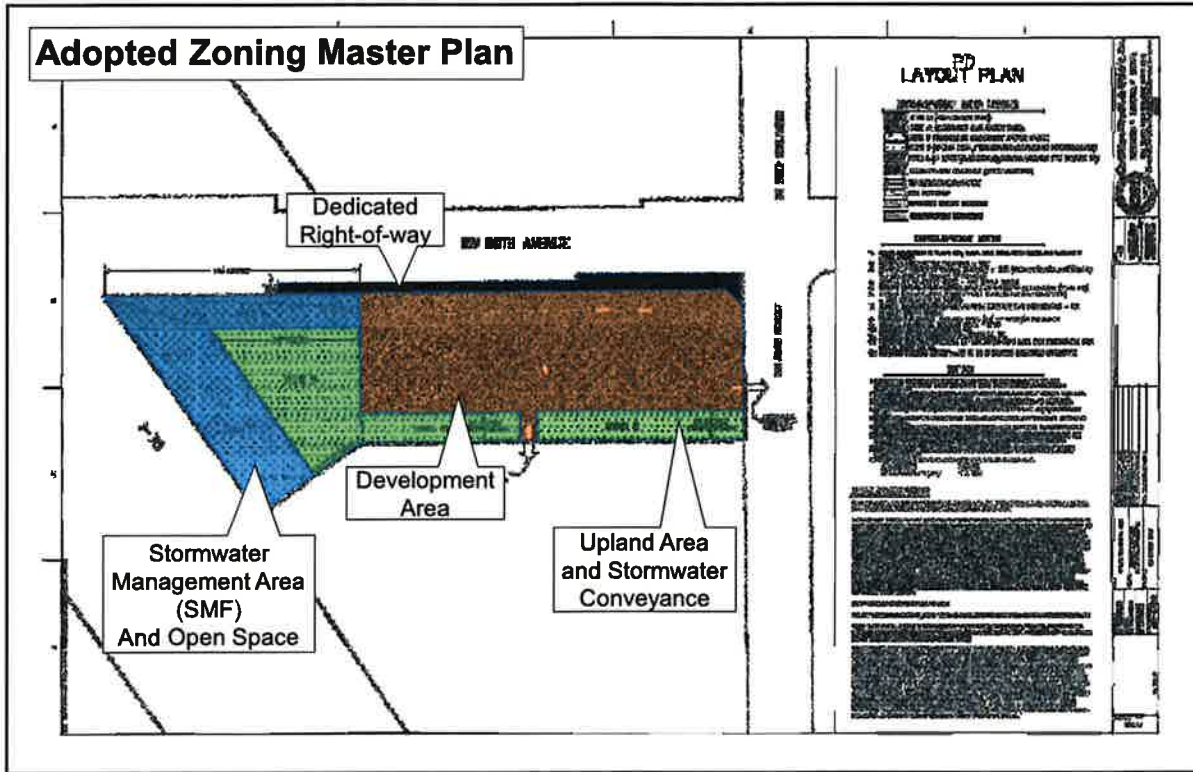




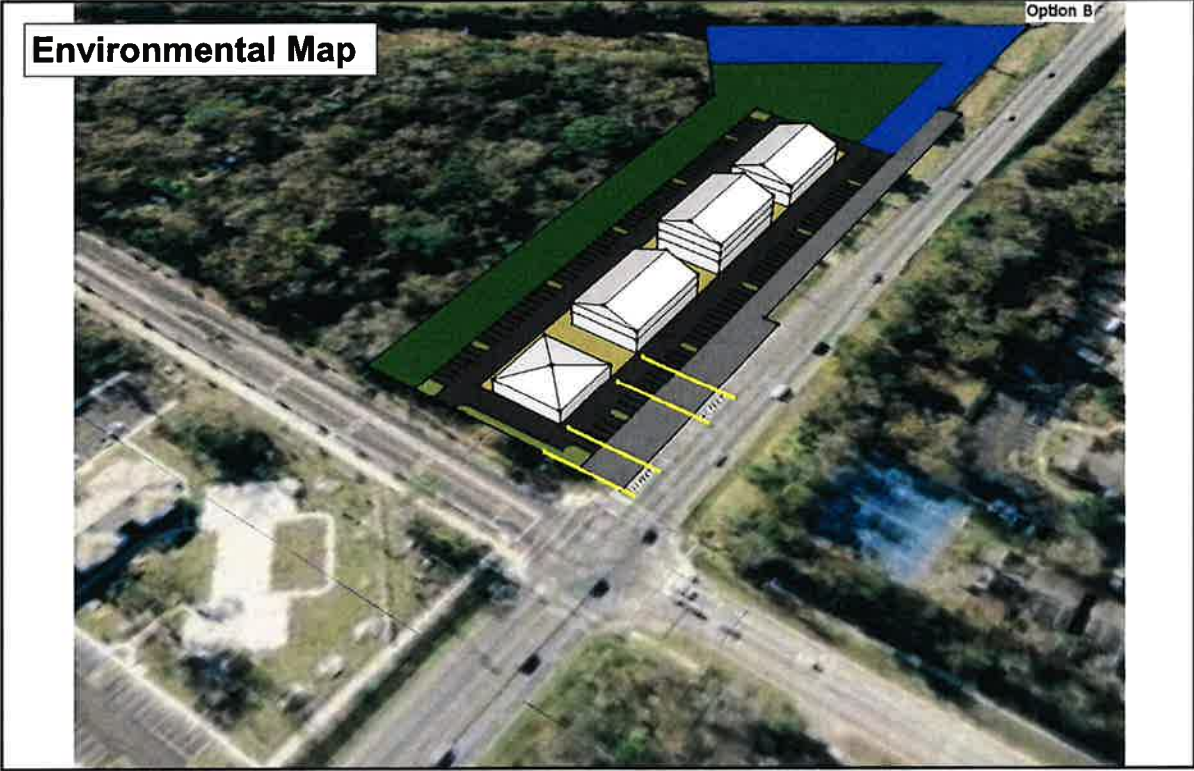












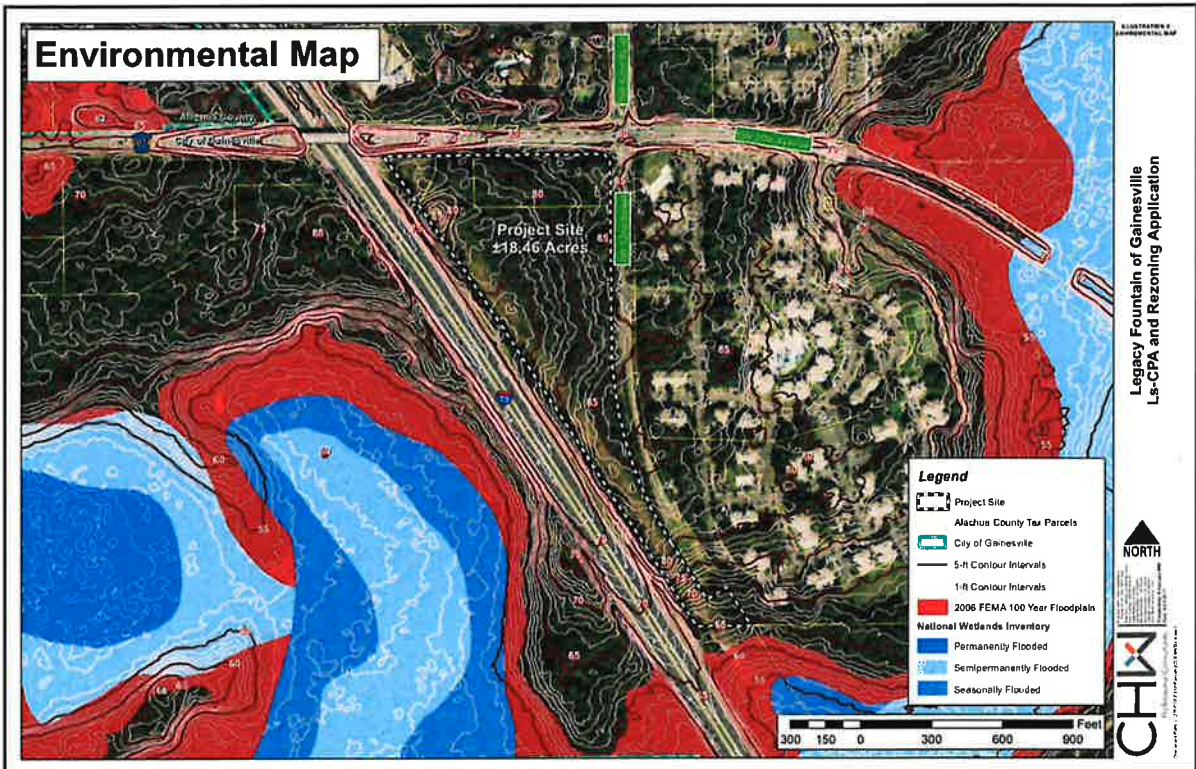
## Conceptual Renderings

Conceptual Renderings

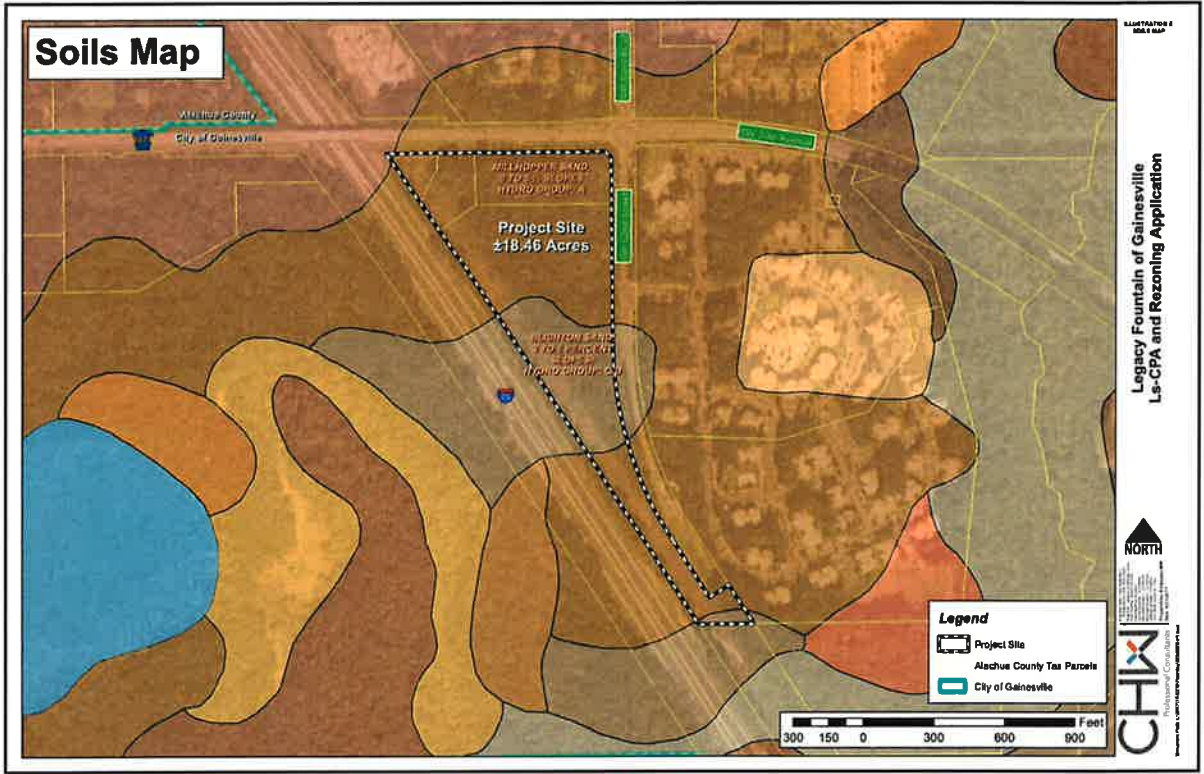
Conceptual Renderings

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## **Sign-in Sheet**

## SIGN-IN SHEET

**Event:** Neighborhood Workshop

**Date/Time:** August 24, 2017 / 6:00pm

**Place:** CHW office, 132 NW 76<sup>th</sup> Drive,  
Gainesville, FL 32607

**Re:** Legacy Fountains

<u>No.</u>	<u>Print Name</u>	<u>Street Address</u>	<u>Signature</u>
1	NO ATTENDEES		
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			

## **Workshop Minutes**



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## NEIGHBORHOOD WORKSHOP MINUTES

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### **Legacy Fountains – Large-scale Comprehensive Plan Amendment and Rezoning**

**August 24th, 2017 at 6:00 PM**

**132 NW 76<sup>th</sup> Drive, Gainesville, FL 32607**

Recorded and transcribed by CHW staff.

CHW Attendees – Gerry Dedenbach, AICP; Ryan Thompson, AICP

Community Members in Attendance: None

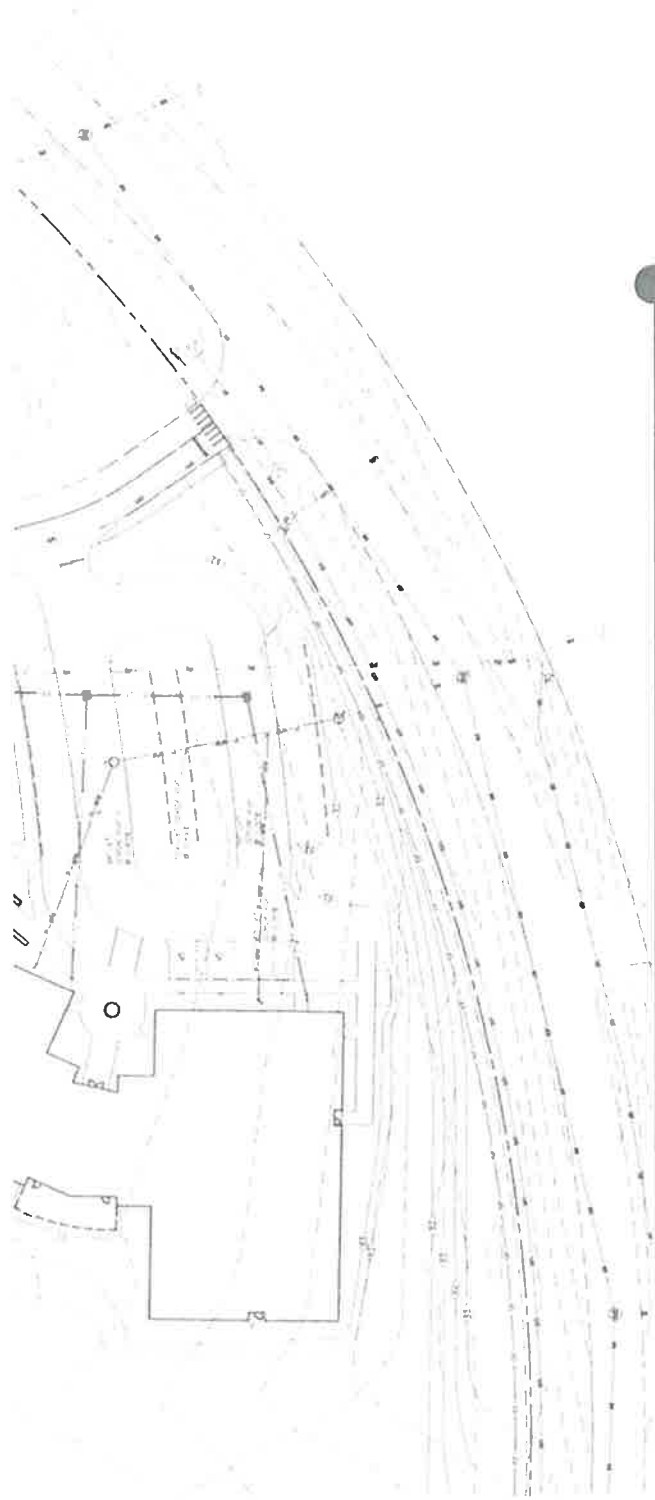
CHW Staff hosted the required Neighborhood Workshop at the CHW office. The workshop presentation contained detailed information pertaining to the purpose of the workshop, the application's request and intent, public notification information, the estimated schedule and review process, various maps illustrating the project site's location and characteristics, and the differences between the existing and proposed Future Land Use map and Zoning map.

However, no notified residents adjacent or near the project site attended the meeting. CHW staff remained onsite until 6:30 pm.

**Application Package**  
**Table of Contents**

1. Cover Letter
2. Rezoning Application
3. Owner Affidavit
4. Legal Description
5. Property Appraiser Datasheets and Tax Records
6. Neighborhood Workshop Materials
- 7. Justification Report**
8. Attachments
  - a. Environmental Review Application
  - b. Map Set
  - c. Public School Concurrency Form





# Legacy Fountains of Gainesville / Henderson Property Rezoning – Justification Report August 28, 2017

**Prepared for:**  
City of Gainesville Department of Doing

**Prepared on behalf of:**  
Legacy Fountains of Gainesville, LLC &  
Henderson Land Trust

**Prepared by:**  
CHW

PN# 17-0310  
L:\2017\17-0310\Planning\Reports\RPT\_17-0310\_JR\_REZ\_170828.docx

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# 1. Executive Summary

**To:** Ms. Wendy Thomas, AICP, Department of Doing, Director  
**From:** Ryan Thompson, AICP, Project Manager  
**Date:** August 28, 2017  
**Re:** Legacy Fountains of Gainesville – Rezoning Application

#17-0310

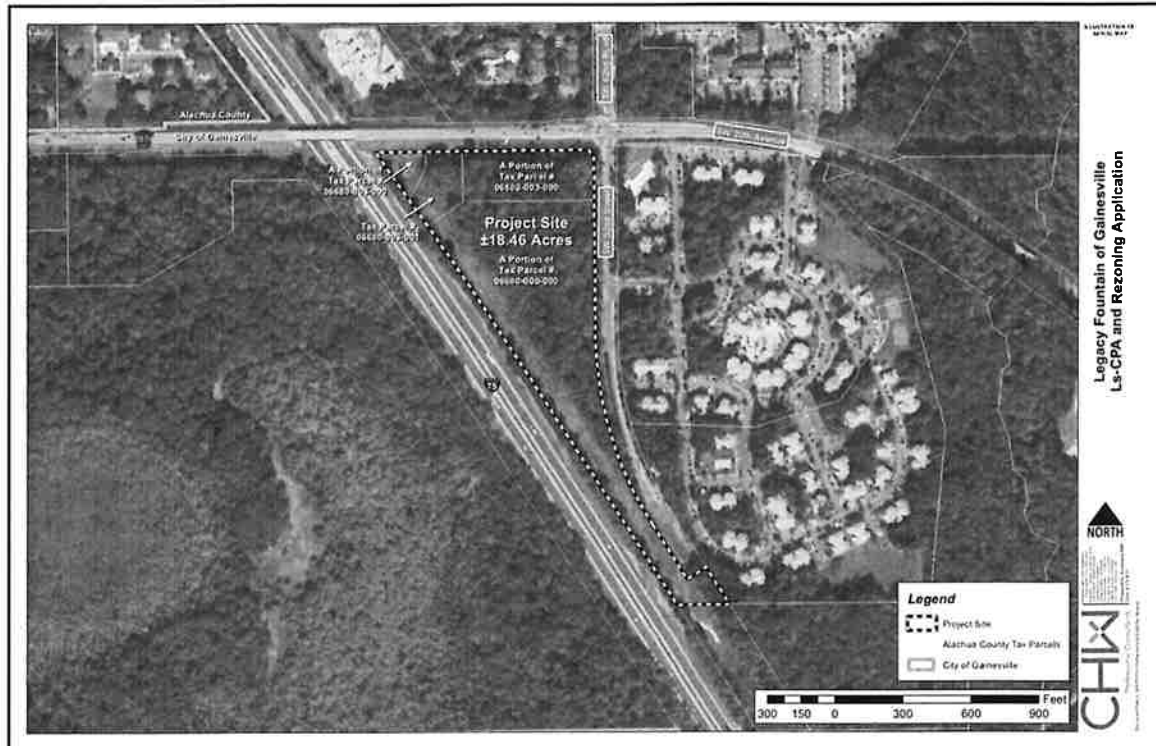
<p><b><u>Jurisdiction:</u></b> City of Gainesville</p>	<p><b><u>Intent of Development:</u></b> Mixed-Use Development</p>
<p><b><u>Description of Location:</u></b> Located at the southwest corner of the SW 52<sup>nd</sup> Street and SW 20<sup>th</sup> Avenue intersection.</p>	
<p><b><u>Parcel Numbers:</u></b> 06680-003-000, 06680-003-001, &amp; a portion of 06680-000-000</p>	<p><b><u>Acres:</u></b> ±18.46 acres (ac.) (Alachua County Property Appraiser)</p>
<p><b><u>Existing Future Land Use Classifications:</u></b>  <i>PUD: Planned Use District (±4.80 ac.)</i>            This land use classification permits a mix of residential and nonresidential uses and/or unique design features which might otherwise not be allowed in the underlying land use category. Each adopting PUD overlay land use designation shall address density and intensity, permitted uses, access by car, foot, bicycle, and transit, trip generation and trip capture, environmental features and, when necessary, buffering of adjacent uses.   <i>RM: Residential Medium Density (8-30 units per acre) (±13.66 ac.)</i>            This land use category shall allow for the development of single-family and multi-family units. The land shown as Residential Medium-Density on the Future Land Use Map identifies those areas within the City that, due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for single-family, and medium-intensity multi-family development. Land development regulations shall determine gradations of density and specific uses.</p>	<p><b><u>Proposed Future Land Use Classification:</u></b>  <i>MUL: Mixed Use Low Intensity (8-30 units per acre) (±18.46 ac.)</i>            This category allows a mixture of residential and non-residential uses such as standard lot single-family houses, small-lot single-family houses, duplex houses, townhouses (attached housing), accessory dwelling units, group homes, multifamily housing (if compatible in scale and character with other dwellings in the proposed neighborhood), offices scaled to serve the surrounding neighborhood, retail scaled to serve the surrounding neighborhood, public and private schools, places of religious assembly and other community civic uses, and traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance.</p>

# 1. Executive Summary

<p><b>Existing Zoning Districts:</b>  <i>PD: Planned Development (±4.80 ac.)</i>          It is the purpose of this district to provide a method for landowners or developers to submit unique proposals which are not provided for or allowed in the zoning districts otherwise established by this chapter. These provisions allow a mix of residential and nonresidential uses and/or unique design features which might otherwise not be allowed in the district, but they must conform to all aspects of the comprehensive plan. The PD provisions are intended to promote flexibility of design and integration of uses and structures, while at the same time retaining in the city commission the absolute authority to establish limitations and regulations thereon for the benefit of the public health, welfare and safety.</p> <p><i>RMF-6: Multiple-family Medium Density Residential (15 du/ac.) (±13.66 ac.)</i>          This district is established to provide for the efficient use of land for multifamily residential developments. These districts are designed to encourage the establishment and maintenance of a suitable residential environment for medium density housing. Due to the existing residential environment and the goals and objectives as outlined by the comprehensive plan, particular development criteria must be instituted in order to harmonize the existing patterns of growth with the needs of the community.</p>	<p><b>Proposed Zoning District:</b>  <i>MU-1: Mixed-Use Low-Intensity (±18.46 ac.)</i>          The mixed-use low intensity district is established for the purpose of allowing coordinated developments designed to offer a mixture of residential, convenience-type retail, professional and consumer service uses primarily for residents of mixed use and adjacent residential neighborhoods, and places of religious assembly. The district is intended to reduce the length and number of vehicular trips by providing for basic needs within close proximity to residential areas, by encouraging pedestrian access, and by the combining of trips. This district is established to allow uses compatible with each other and with surrounding residential areas to be developed near each other. The MU-1 district may be located in areas where analysis of residential characteristics demonstrates that such facilities are required. This district is intended to encourage the development of planned and unified neighborhood shopping centers in a relationship harmonious with adjoining residential activities. It is also intended to accommodate traditional neighborhoods that include nonresidential uses and neighborhood centers.</p>
<p><b>Existing Maximum Density / Intensity</b>  <i>Density shown on PD + Additional ±13.66 ac.:</i>          10 dwelling units plus ±13.66 ac. at 15 du/ac.          = 215 dwelling units; and</p> <p><i>Intensity shown on PD:</i>          20k ft<sup>2</sup> (office) + 20k ft<sup>2</sup> (retail) + 5k ft<sup>2</sup> (bank)          = 45,000 ft<sup>2</sup> of nonresidential uses</p>	<p><b>Proposed Density / Intensity</b>  <i>Maximum Permitted Density:</i>          ±18.46 ac. x 30 du/ac.          = 554 dwelling units; or</p> <p><i>Maximum Permitted Intensity:</i>          100,000 ft<sup>2</sup> of nonresidential uses          (per LDC §30-64(d)(3))</p>
<p><b>Net Change</b>          This Rezoning application will result in a net increase of either 339 residential units, 55,000 ft<sup>2</sup> for nonresidential uses, or a combination thereof.</p>	

## 2. STATEMENT OF PROPOSED CHANGE

This Rezoning application requests to change the ±18.46-acre site's existing zoning districts from Planned Development (PD) (Ordinance No. 100327) and Multiple-family Medium Density Residential (RMF-6) to Mixed-Use Low Intensity (MU-1) on Alachua County Tax Parcels 06680-003-000, 06680-003-001, and a portion of 06680-000-000. The site is located at the southwest corner of the SW 52<sup>nd</sup> Street and SW 20<sup>th</sup> Avenue intersection. An aerial is provided as Figure 1 which shows the site's exact location.



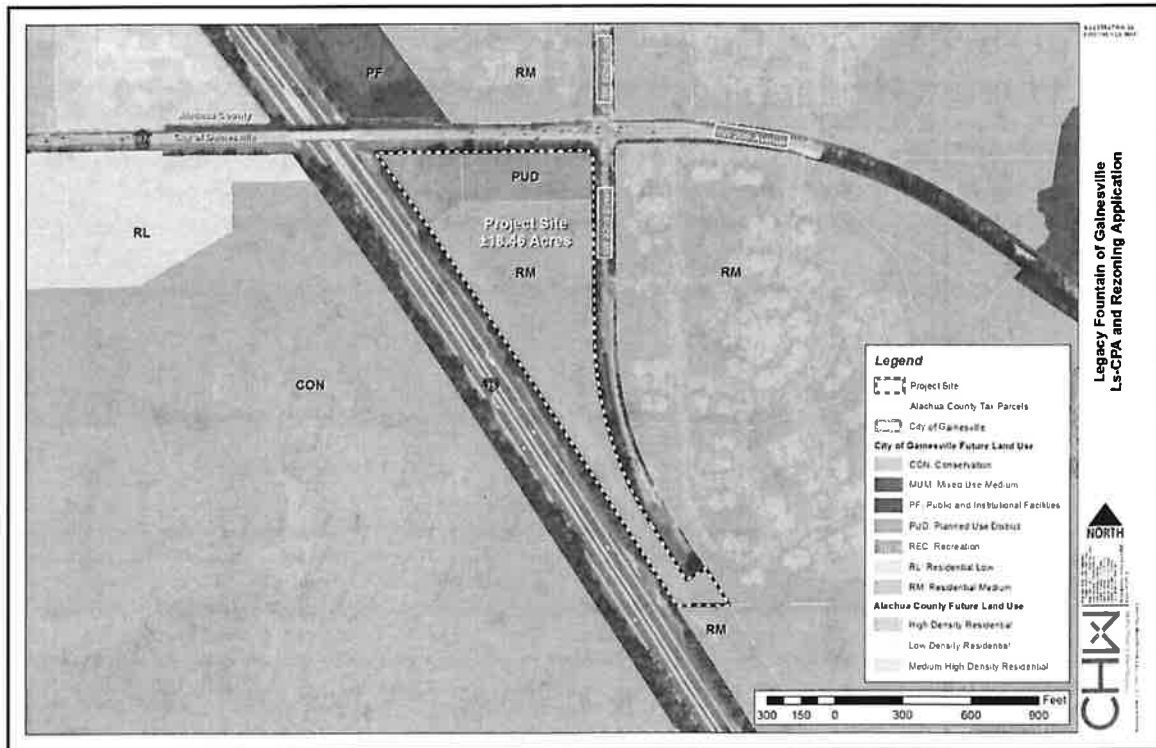
**Figure 1: Aerial Map**

The requested Rezoning is companion to a Large-scale Comprehensive Plan Amendment (Ls-CPA) that requests the Mixed Use Medium (MUL) Future Land Use (FLU) category. The nonresidential uses being proposed as part of this mixed-use development will allow the project site to create additional employment opportunities for nearby Gainesville constituents and provide increased diversity in purchasing decisions for local consumers. Adjacent properties consist of hundreds of multi-family residences, which are outlined further in Table 1 and shown on Figures 2 through 5.

In 2012, the City of Gainesville permitted the rezoning of 06680-003-000, 06680-003-001 with 20,000 ft<sup>2</sup> of office, 20,000 ft<sup>2</sup> of retail, a 5,000 ft<sup>2</sup> bank, and 10 dwelling units (du) / (20 bedrooms max.). However, after diligently pursuing potential tenants for half a decade, the site has remained undeveloped. As a result, this Rezoning application requests additional land area and a straight Zoning classification. Discussions during the First Step meeting, City of Gainesville Planning staff determined previous environmental concerns will be adequately addressed by existing Comprehensive Plan and Land Development Code (LDC) regulations, no longer necessitating a PD for onsite development. Onsite development will occur consistent with City of Gainesville Comprehensive Plan goals, objectives, and policies and LDC regulations.

**Table 1: Surrounding Future Land Use and Zoning Designations**

Direction	Future Land Use Designation	Zoning Designation
North	CR 2074 (SW 20 <sup>th</sup> Ave.) R.O.W.; Public and Institutional Facilities (PF); Residential Medium (RM)	SW 20 <sup>th</sup> Ave. R.O.W.; Public Services and Operations (PS); Planned Development (PD)
East	SW 52 <sup>nd</sup> St. R.O.W.; RM	SW 52 <sup>nd</sup> St. R.O.W.; RMF-6
South	RM	RMF-6
West	Interstate-75 R.O.W.; Conservation (CON); Residential Low (RL)	Interstate-75 R.O.W.; CON; Single-Family/Multiple Family Residential (RMF-5)



**Figure 2: Existing Future Land Use Map**

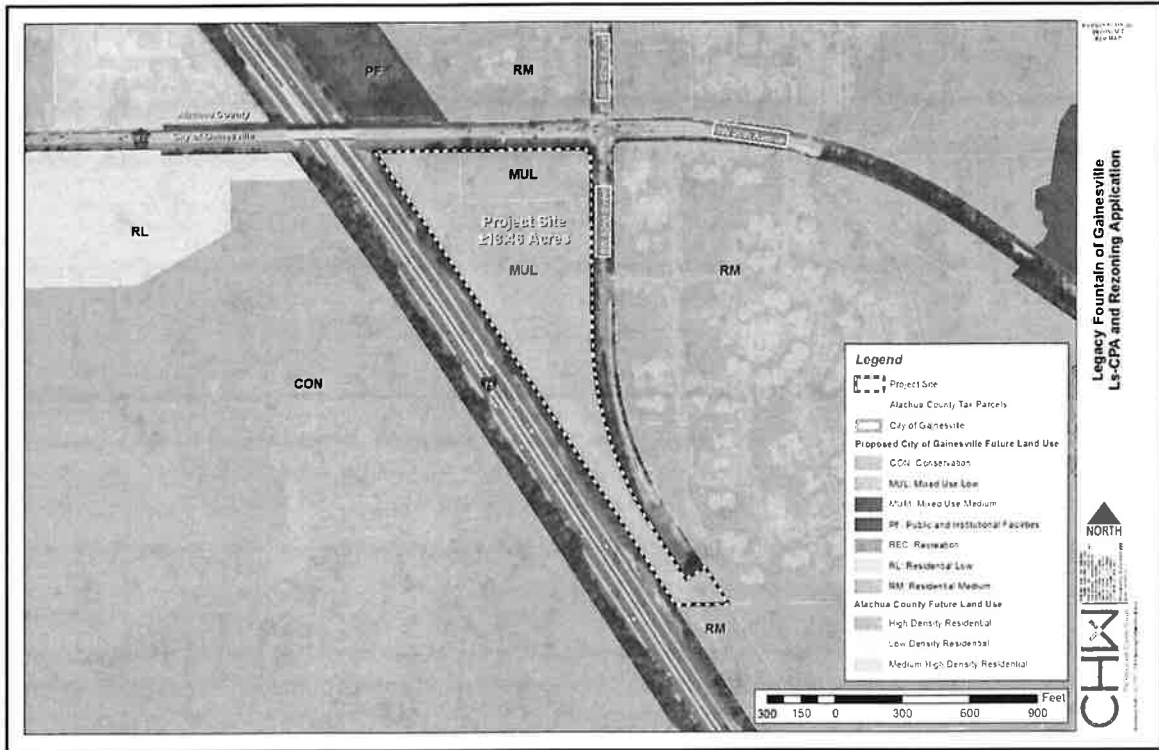


Figure 3: Proposed Future Land Use Map

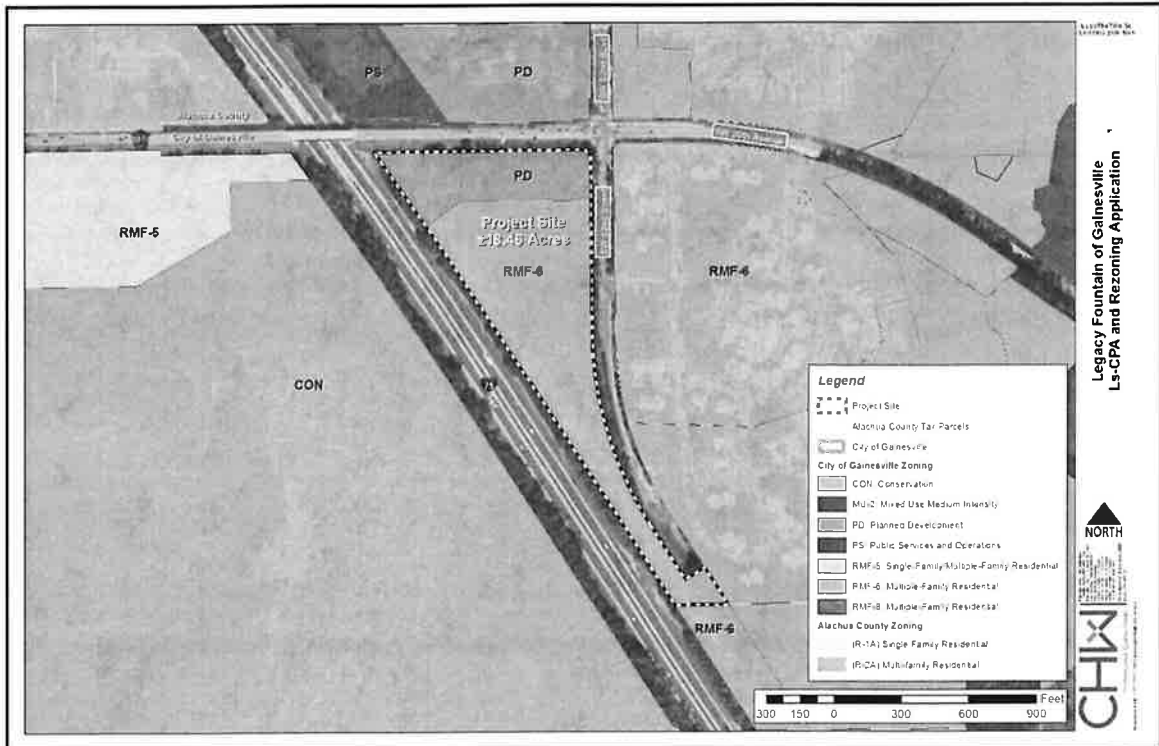
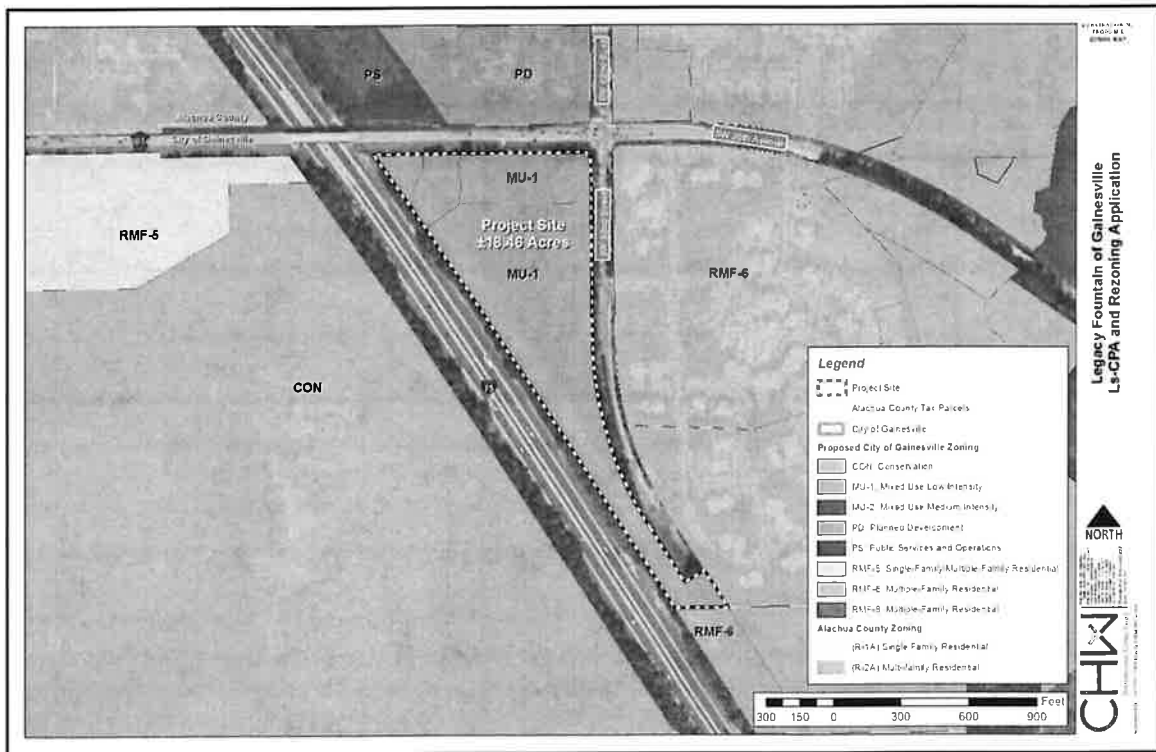


Figure 4: Existing Zoning Map





**Figure 5: Proposed Zoning Map**

The following photos demonstrate the existing development pattern of multifamily uses surrounding the project site. These surrounding properties will be served by the potential nonresidential uses permitted on the project site as a result of this Rezoning application's approval.



**Figure 6: SE Corner of SW 52<sup>nd</sup> Street and SW 20<sup>th</sup> Avenue Intersection — Cabana Beach Apartment Complex**





**Figure 7: NW Corner of SW 52<sup>nd</sup> Street and SW 20<sup>th</sup> Avenue Intersection —  
The Pavilion Apartment Complex**



**Figure 8: NE Corner of SW 52<sup>nd</sup> Street and SW 20<sup>th</sup> Avenue Intersection —  
The Woodlands Apartment Complex**

### **3. IMPACT ANALYSIS**

#### *IMPACT ON RESIDENTIAL STREETS*

The development's intent is to provide nonresidential goods and services to an underserved area with several hundred multifamily dwellings, thereby encouraging pedestrian and bicycle access to daily needs. Therefore, this application's approval may result in a net reduction of estimated impact to residential streets.

#### *IMPACT ON NOISE AND LIGHTING*

The project site is bound by SW 20<sup>th</sup> Avenue to the north, SW 52<sup>nd</sup> Street to the east, a narrow land area ( $\pm 100$  feet) to the south, and I-75 to the west, which create barriers to the typical noise and lighting associated with nonresidential uses. However, onsite development will be permitted via a development plan that is consistent with setback, buffer, landscaping, and lighting requirements in the City of Gainesville Comprehensive Plan and LDC.

#### *ENVIRONMENTAL FEATURES*

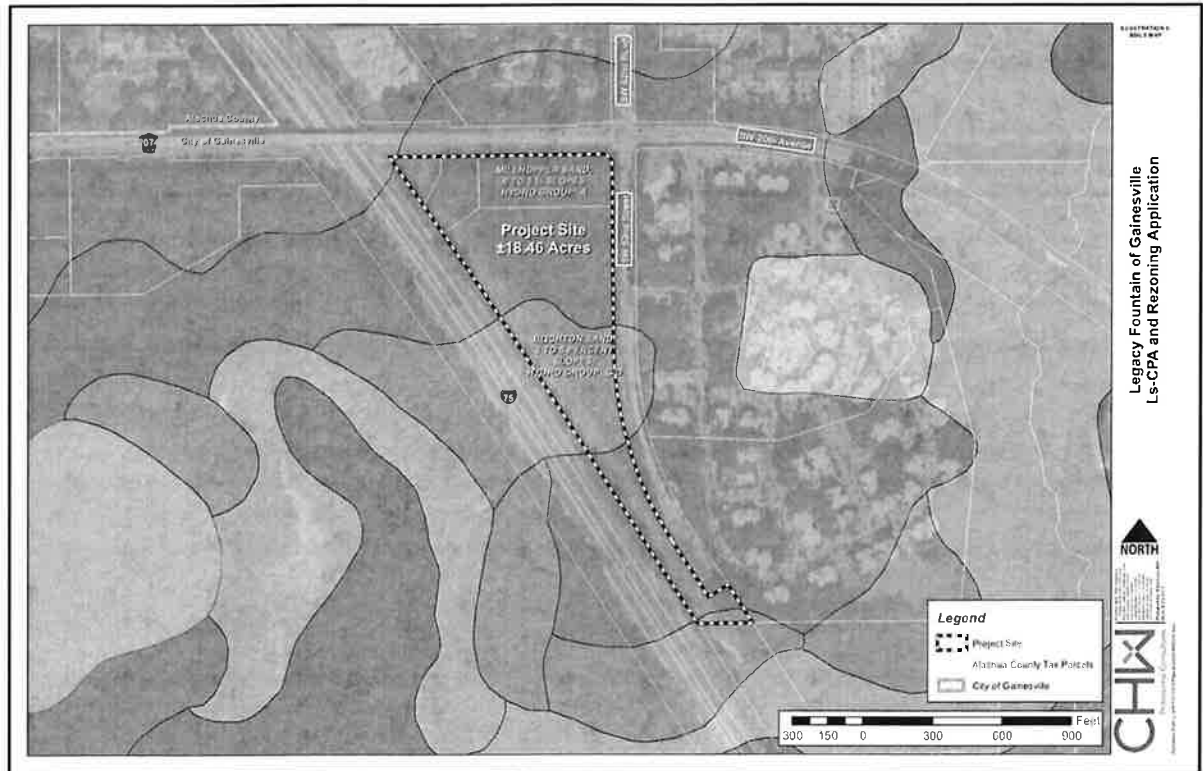
During the existing Legacy Fountain PD's review process, it was discovered that the subject property has environmentally significant Upland Area. Therefore, at least 25% of the project site's Upland Area must be incorporated into the development's landscape features in order to ensure that these areas remain natural and untouched. Only management of the area for invasive species, replanting of listed species, and passive recreation will be permitted in set aside Upland Areas. Additionally, an environmental study of the subject property was conducted during this time. In this report, an ecological inventory identified four (4) onsite four-foot (4') tall Godfrey's Privet plants. Two (2) will require relocation into the preserved Upland Area. This report is attached with this application for reference. In its conclusion, SouthArc, Inc. archeologists found "development will not affect significant cultural resources and that no further research should be required."

As illustrated in Figure 9 of this report, there are no floodplains or wetlands located on the project site. In addition, onsite soils are suitable for most types of development, as indicated by the surrounding multifamily properties.



**Figure 9: Topography, Wetlands, and FEMA Floodplain Map**

According to the National Resources Conservation Service (NRCS), the majority of on-site soil is Millhopper Sand—0 to 5% slopes (Hydro Group: A) (Figure 10). The site also features Blichton Sand—0 to 5% slopes (Hydro Group: C/D). These soils are present on adjacent properties and are suitable for most types of development, as indicated by the surrounding properties.



**Figure 10: Natural Resources Conservation Service (NRCS) Soils Map**

### *HISTORIC AND ARCHEOLOGICAL RESOURCES*

The subject property lies within the Melroy/SW 20<sup>th</sup> Alachua County Historical Site. Extra precautions will be taken during the survey and construction phases of development within the project area to protect any historical features found within the property. If any items of historical significance are discovered within the project site during any phase of development, it will be immediately reported to the appropriate governmental body for historical analysis and preservation.

The Legacy Fountains PD’s original application was supplemented, at City of Gainesville staff’s request, with a Cultural Resources Survey and Assessment by SouthArc, Inc. In this report, archeologists found “development will not affect significant cultural resources and that no further research should be required.”

### *COMMUNITY CONTRIBUTIONS*

The proposed Rezoning application is consistent with the City of Gainesville Comprehensive Plan and LDC. The site’s potential development will provide for urban infill near collector and arterial roadways with an existing multifamily land development pattern. Urban infill reduces the pressure to develop along the urban area’s fringes and reduces the potential for urban sprawl. This mixed-use development possesses the

ability to meet the daily needs of adjacent multifamily residential complexes without necessitating the use of a personal vehicle. The MU-1 zoning district and corresponding MUL FLU designation encourages dense development patterns and the efficient use of land.

#### *POTENTIAL LONG-TERM ECONOMIC BENEFITS*

The potential mixed-used development will have positive, long-term impacts to the City's economy and tax base. Potential onsite multifamily will provide an opportunity to increase the City's tax base while nonresidential uses will create additional jobs for Gainesville inhabitants and provide increased diversity in purchasing decisions for local constituents.

## LEVEL OF SERVICE

This Rezoning application was submitted concurrent with an Ls-CPA application that requests to change the development's existing FLU designations from PUD and RM to MUL. As a result, approval of these applications will alter the onsite permitted intensity and density allotted for the site. However, the following factors should be acknowledged prior to this Level of Service (LOS) analysis:

1. The proposed site features  $\pm 13.66$  acres of additional land within the project boundary.
2. A site plan will not be submitted with this application. As a result, the maximum permitted density/intensity will be utilized when making Level of Service impact calculations for the proposed site. In contrast, the calculations used for the existing PD is based on the exact development conditions listed on the existing ZMP.
3. A specific use for the proposed site has yet to be determined as of the time of this submittal. As a result, three ITE categories have been chosen for estimation purposes: Apartment (ITE 220), Specialty Retail Center (ITE 826), & General Office Building (ITE 710).

The calculations for determining both the existing and proposed density/intensity for the development are as follows:

### Existing FLU / Zoning

*PUD / PD; RM / RMF-6*

Density:

- PD: 10 dwelling units (du) / (20 bedrooms max.)
- RMF-6:  $\pm 13.66$  ac. x 15 du/ac. = 205 du max.

Intensity:

- PD: 20,000 ft<sup>2</sup> (office) + 20,000 ft<sup>2</sup> (retail) + 5,000 ft<sup>2</sup> (bank) = 45,000 ft<sup>2</sup>

### Proposed FLU / Zoning

*MUL / MU-1*

- Density:  $\pm 18.46$  ac. x 30 du/ac. = 554 du max.; *or*
- Intensity: 100,000 ft<sup>2</sup> of nonresidential uses (per LDC Sec. 30-64(d)(3)); *or*
- A combination of the maximum density and intensity listed above

The proposed FLU/Zoning intensity and density is based on a combination of permitted uses, including multifamily, commercial retail, and office use. For the purposes of this LOS analysis, each use is equally represented, resulting in an even division of the maximum onsite permitted intensity and density. This mix of uses is both reflective of the MUL FLU's intent as well as the Legacy Fountains PD's permitted uses.

**Table 2: Projected Net Trip Generation**

Land Use <sup>1</sup> (ITE)	Units	Daily <sup>1</sup>		AM Peak <sup>1</sup>		PM Peak <sup>1</sup>	
		Rate	Trips	Rate	Trips	Rate	Trips
<b>Proposed<sup>2</sup></b>							
Apartment (ITE 220)	277	6.65	1,842.05	.55	152.35	.67	185.69
Specialty Retail Center (ITE 826)	50	44.32	2,216	6.84	342	5.02	251
General Office Building (ITE 710)	50	11.03	551.50	1.56	78	1.49	74.50
<i>Subtotal:</i>	-	-	4,610	-	572	-	511
<b>Existing</b>							
Apartment <sup>3</sup> (ITE 220)	215	6.65	1,429.75	.55	118.25	.67	144.05
General Office Building (ITE 710)	20	11.03	220.60	1.56	31.20	1.49	29.80
Drive-in Bank (ITE 912)	5	148.15	740.75	17.57	87.85	26.69	133.45
Specialty Retail Center (ITE 826)	20	44.32	886.40	6.84	136.80	5.02	100.40
<i>Subtotal:</i>	-	-	3,278	-	374	-	408
<b>Net Trip Generation</b>	-	-	<b>1,332</b>	-	<b>198</b>	-	<b>103</b>

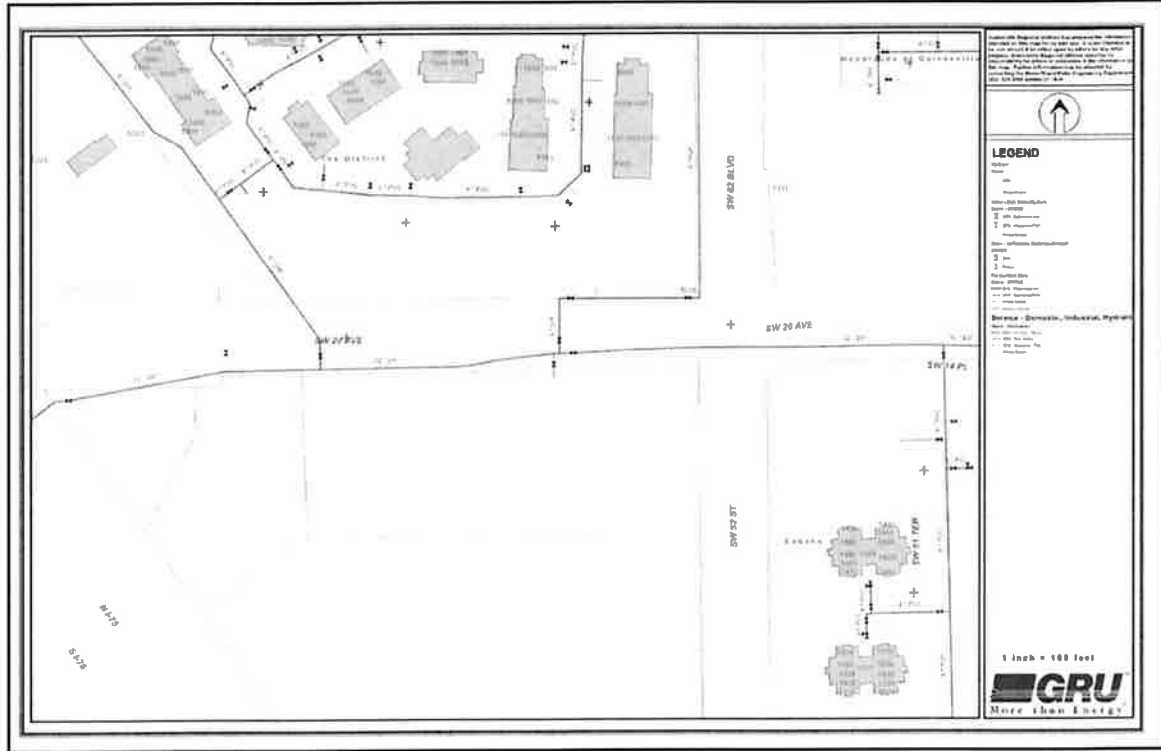
1. Source: ITE Trip Generation Manual, 9<sup>th</sup> Edition
2. NOTE: A development plan is not being submitted with this Rezoning application. As a result, these numbers are based on uses likely to be chosen for the project site. The maximum permitted onsite residential and nonresidential uses are split evenly (50% each) for the purposes of this calculation. Then, the resulting maximum nonresidential uses are split evenly again to reflect a mix of office and retail uses.
3. NOTE: For the purposes of accurate comparisons, ±13.66 ac. of RMF-6 has been added to the existing PD, which permits 15 du/acre with 138+ bonus density points.

**Conclusion:** If the project were to be developed utilizing the site’s maximum development potential, this Rezoning application’s approval would result in a potential increase of **1,332 net daily vehicle trips**. The site is located within the City’s Transportation Mobility Program Area (TMPA) Zone B. Developers within TMPA Zone B are responsible for providing improvements to the City’s transportation system and infrastructure.

Developments within TMPA Zone B will be required to provide items a. – e of Comprehensive Plan policy 10.1.4. In addition, project sites within Zone B are also required to meet transportation mobility criteria based upon the development’s trip generation proportional impact on transportation mobility needs. Specific criteria within Policy 6.1.6 shall be determined at the Development Plan review when a specific development program is proposed to the City.

Potable Water

Based on Figure 11, a map provided by Gainesville Regional Utilities (GRU), potable water infrastructure is available to the site. Connection to the project site will most likely stem from the active 12" Ductile Iron Pipe (DIP) Pressurized Main located along the SW 20<sup>th</sup> Avenue right-of-way (R.O.W.).



**Figure 11. Existing Potable Water Infrastructure**



**Table 3: Projected Potable Water Demand**

Land Use	Maximum Units	Generation Rate	Estimated Demand (GPD)
<b>Proposed<sup>2</sup></b>			
Apartment <sup>3</sup> (ITE 220)	554	100 gal. per bdrm.	55,400
Specialty Retail Center (ITE 826)	500	15 gal. per 100 ft <sup>2</sup>	7,500
General Office Building (ITE 710)	500	15 gal. per 100 ft <sup>2</sup>	7,500
<i>Subtotal:</i>	-	-	70,400
<b>Existing</b>			
Apartment <sup>4</sup> (ITE 220)	430	100 gal. per bdrm.	43,000
General Office Building (ITE 710)	200	15 gal. per 100 ft <sup>2</sup>	3,000
Drive-in Bank (ITE 912)	50	15 gal. per 100 ft <sup>2</sup>	750
Specialty Retail Center (ITE 826)	200	15 gal. per 100 ft <sup>2</sup>	3,000
<i>Subtotal:</i>	-	-	49,790
<b>Net Demand</b>	-	-	<b>20,610</b>

1. Source: Ch. 64E-6.008, F.A.C.

2. NOTE: A development plan is not being submitted with this Rezoning application. As a result, these numbers are based on uses likely to be chosen for the project site. The maximum permitted onsite residential and nonresidential uses are split evenly (50% each) for the purposes of this calculation. Then, the resulting maximum nonresidential uses are split evenly again to reflect a mix of office and retail uses.

3. In order to maintain accurate comparisons between the existing and proposed development standards, the proposed onsite apartment complex shall match the two (2) bedrooms per dwelling unit established by the original PD.

4. For the purposes of accurate comparisons, 13.66 ac. of RMF-6 has been added to the existing PD, which permits 15 du/ac. with 138+ bonus density points.

**Conclusion:** As shown in Figure 11, the project site will be served by existing Gainesville Regional Utilities potable water infrastructure. If the project were to be developed utilizing the site's maximum development potential, approval of this request would result in a potential increase of **20,610 gallons per day** in estimated potable water demand and *would not* negatively impact the adopted Level of Service (LOS).



**Table 4: Projected Sanitary Sewer Demand**

Land Use	Maximum Units	Generation Rate	Estimated Demand (GPD)
<b>Proposed<sup>2</sup></b>			
Apartment <sup>3</sup> (ITE 220)	554	100 gal. per bdrm.	55,400
Specialty Retail Center (ITE 826)	500	15 gal. per 100 ft <sup>2</sup>	7,500
General Office Building (ITE 710)	500	15 gal. per 100 ft <sup>2</sup>	7,500
<i>Subtotal:</i>	-	-	70,400
<b>Existing</b>			
Apartment <sup>4</sup> (ITE 220)	430	100 gal. per bdrm.	43,000
General Office Building (ITE 710)	200	15 gal. per 100 ft <sup>2</sup>	3,000
Drive-in Bank (ITE 912)	50	15 gal. per 100 ft <sup>2</sup>	750
Specialty Retail Center (ITE 826)	200	15 gal. per 100 ft <sup>2</sup>	3,000
<i>Subtotal:</i>	-	-	49,790
<b>Net Demand</b>	-	-	<b>20,610</b>

1. Source: Ch. 64E-6.008, F.A.C.
2. NOTE: A development plan is not being submitted with this Rezoning application. As a result, these numbers are based on uses likely to be chosen for the project site. The maximum permitted onsite residential and nonresidential uses are split evenly (50% each) for the purposes of this calculation. Then, the resulting maximum nonresidential uses are split evenly again to reflect a mix of office and retail uses.
3. In order to maintain accurate comparisons between the existing and proposed development standards, the proposed onsite apartment complex shall match the two (2) bedrooms per dwelling unit established by the original PD.
4. For the purposes of accurate comparisons, 13.66 ac. of RMF-6 has been added to the existing PD, which permits 15 du/ac. with 138+ bonus density points.

*Conclusion:* As shown in Figure 12, the project site will be served by existing Gainesville Regional Utilities sanitary sewer infrastructure. If the project were to be developed utilizing the site’s maximum development potential, this Rezoning application’s approval would result in a potential increase of **20,610 gallons per day** in estimated sanitary sewer demand and *would not* negatively impact the adopted Level of Service (LOS).

Potential Solid Waste Impact

**Table 5. Projected Solid Waste Demand and Capacity**

Generation Rate Calculation	Tons Per Year
[277 dwelling units x 2.6 persons per du x .73 tons per capita + (((12 lbs. / 1,000 sq. ft. / day x 100,000 ft <sup>2</sup> ) x 365) / 2000)]	744.7
Leveda Brown Environmental Park and Transfer Station Capacity <sup>3</sup>	<b>20 years</b>

1. This development will likely feature a mix of uses. As a result, this number was generated utilizing the site’s proposed acreage (±18.46 ac.) at 60% lot coverage (the maximum permitted for the MU-1 Zoning district).
1. Source: Sincero and Sincero: *Environmental Engineering: A Design Approach*, Prentice Hall, NJ, 1996
2. Source: Alachua County Comprehensive Plan, Solid Waste Element

*Conclusion:* As calculated in Table 5, solid waste facility capacity exists to adequately serve the proposed Rezoning application’s approval. If the project were to be developed

utilizing the site's maximum development potential, this Rezoning approval *would not* negatively impact the adopted LOS. The Leveda Brown Environmental Park and Transfer Station has the capacity to process various components of the solid waste stream for the next 20 years. This facility has adequate capacity to meet the proposed amendment's demand.

Public School and Recreation Generation

These Rezoning and Ls-CPA applications permit the development of a mixed-use complex within a multifamily, student-housing intersection. A majority of these residents either attend the University of Florida or Santa Fe College. If the project site proposes any number of residential units as part of the site's future development plans, these facilities will likely be for college students and *will not* have a significant impact on the City's public school and recreation system.

Regardless, the City of Gainesville requires all Rezoning applications involving residential developments to include an estimated Public School Generation analysis. This is conducted by completing the City's Public School Student Generation Calculation Form. A completed copy of this form has been included within this application's submittal. The development's estimated impact on the City's Public School System is found in the table below:

**Table 6: Projected Public School Demand**

Land Use <sup>1</sup> (ITE)	Units	Elem.		Middle		High	
		Rate	Total	Rate	Total	Rate	Total
<b>Proposed</b>							
Multifamily Apt.	277	.08	22.16	.03	8.31	.03	8.31
<b>Existing</b>							
Multifamily Apt. <sup>2</sup>	215	.08	17.2	.03	6.45	.03	6.45
<b>Net Generation</b>	-	-	<b>5</b>	-	<b>2</b>	-	<b>2</b>

1. NOTE: A development plan is not being submitted with this Rezoning application. As a result, these numbers are based on uses likely to be chosen for the project site. The maximum permitted onsite residential and nonresidential uses are split evenly (50% each) for the purposes of this calculation.
2. For the purposes of accurate comparisons, 13.66 ac. of RMF-6 has been added to the existing PD, which permits 15 du/acre with 138+ bonus density points.

If the project were to be developed utilizing the site's maximum development potential on the scenario described in the Table's footnotes above, this Rezoning application's approval would result in a potential increase of **five (5) student stations** to the City's Public School system.

As evidenced by the Service Level Standards for Parks' table within the City of Gainesville Comprehensive Plan's Recreation Element, the City's existing LOS for City Parks exceed the Adopted LOS for all Gainesville park designations. This discrepancy is shown on Table 7 of this report:

**Table 7: Service Level Standards for Parks**

Park	Adopted LOS Standard	Existing LOS
Local Nature/Conservation	6.00 ac.	15.71 ac.
Community Park	2.00 ac.	2.13 ac.
Neighborhood Park	.80 ac.	1.33 ac.
Total Acres per 1000	8.80 ac.	19.73 ac.

If the creation of recreation facilities is deemed appropriate for the project site as a result of this application, the developer will remain consistent with all Recreation design policies required by the City's Comprehensive Plan and LDC.

#### 4. CONSISTENCY WITH CITY OF GAINESVILLE COMPREHENSIVE PLAN

This section identifies specific City of Gainesville Comprehensive Plan Goals, Objectives, and Policies and explains how this Rezoning application is consistent with each. Text from the City of Gainesville is provided in normal font while consistency statements are provided in **bold**.

The requested MUL & MU-1 designations permit a mixture of residential and nonresidential uses designed to promote both pedestrian and transit use in the City of Gainesville's developed, urban area. The proposed MU-2 district is consistent with the following Comprehensive Plan 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.

**Policy 1.1.1** To the extent possible, all planning shall be in the form of complete and integrated communities containing housing, shops, workplaces, schools, parks and civic facilities essential to the daily life of the residents.

**This application for a potential mixed-use development is consistent with the City's desire for integrating uses that are essential for the daily needs of residents. The proposed mixed-use development is surrounded by multifamily apartment complexes that will utilize the site's potential nonresidential uses for potential employment and everyday goods and services.**

**Policy 1.1.2** To the extent possible, neighborhoods should be sized so that housing, jobs, daily needs and other activities are within easy walking distance of each other.

**This proposal requests an infill, mixed-use development within the City of Gainesville's urbanized area. By approving this application and the accompanying Ls-CPA application, the City will permit a dense development pattern around the adjacent intersection that will allow residents access to potential nonresidential uses within walking distance.**

**Objective 1.2** Protect and promote viable transportation choices (including transit, walking and bicycling, and calmed car traffic).

**Due to the mixed-use nature of this development and the surrounding residences, this development will be designed so that the site can be accessed using a variety of transportation methods. Future development will provide both external and internal sidewalks for pedestrian usage and access to adjacent RTS transit stops.**

Policy 1.2.3 The City should encourage mixed-use development, where appropriate.

**This Rezoning application requests to change the site's existing zoning districts from PD and RMF-6 to MU-1—a mixed-use district—on Alachua County Tax Parcels 06680-003-000, 06680-003-001, and a portion of 06680-000-000. This proposal is consistent with Policy 1.2.3. of the City's Comprehensive Plan.**

Objective 1.4 Adopt land development regulations that promote mixed-use development.

**Approval of this Rezoning application and the accompanying Ls-CPA application will assist the City in implementing Objective 1.4 by permitting mixed-use development in an area exclusively consisting of multi-family residential.**

Objective 1.5 Discourage the proliferation of urban sprawl.

**This application requests an infill, mixed-use development within the City of Gainesville's urbanized area. By approving this application and the accompanying Ls-CPA application, the City will permit a dense development pattern around the adjacent intersection that will allow residents access to potential onsite nonresidential uses within walking distance.**

Policy 4.1.3 The City will review proposed changes to the Future Land Use Map by considering factors such as, but not limited to, the following:

Support for urban infill and/or redevelopment.

**This application proposes a mixed-use development on currently undeveloped parcels. Approval of this application and the accompanying Ls-CPA application will permit an infill development pattern within the City of Gainesville's urbanized area.**

#### *TRANSPORTATION MOBILITY ELEMENT*

##### *Transportation Mobility Element Overall Goal*

ESTABLISH A TRANSPORTATION SYSTEM THAT ENHANCES COMPACT DEVELOPMENT, REDEVELOPMENT, AND QUALITY OF LIFE, THAT IS SENSITIVE TO CULTURAL AND ENVIRONMENTAL AMENITIES, AND THAT IMPLEMENTS THE VISION OF THE "YEAR 2035 LONG RANGE TRANSPORTATION PLAN" WITHIN THE CITY OF GAINESVILLE. THE TRANSPORTATION SYSTEM SHALL BE DESIGNED TO MEET THE NEEDS OF PEDESTRIANS, BICYCLISTS, TRANSIT, AND AUTO USERS. SAFETY AND EFFICIENCY SHALL BE ENHANCED BY LIMITATIONS AND CARE IN THE LOCATIONS OF DRIVEWAYS, PROVISION OF SIDEWALK CONNECTIONS WITHIN DEVELOPMENTS, AND AN OVERALL EFFORT TO ENHANCE AND ENCOURAGE PEDESTRIAN MOBILITY THROUGHOUT THE COMMUNITY BY IMPROVEMENT AND PROVISION OF SAFE CROSSINGS, COMPLETE SIDEWALK AND TRAIL SYSTEMS, AND SIDEWALKS OF ADEQUATE WIDTHS. BASIC TRANSPORTATION SHOULD BE PROVIDED FOR TRANSPORTATIONDISADVANTAGED RESIDENTS TO EMPLOYMENT, EDUCATIONAL FACILITIES, AND BASIC SERVICES.



Objective 2.1 Create an environment that promotes transportation choices, compact development, and a livable city.

**By approving this application and the accompanying Ls-CPA application for MU-1 and MUL, respectively, will encourage development that supports transportation choices, a compact development pattern, and a livable city—consistent with City objectives for Gainesville’s future.**

Objective 2.2 Ensure that Future Land Use Map designations promote transportation objectives by designating transit-supportive densities in appropriate locations to support transportation choice.

**The proposed project area discussed within this application is considered infill development within the City of Gainesville’s urbanized area. Approval of this application and the accompanying Ls-CPA application will permit a dense development pattern that provides multi-modal transportation options consistent with the City’s Comprehensive Plan Objective 2.2.**

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

**This application is concurrent to a Ls-CPA application that requests a FLU designation that encourages compact and dense development patterns in order to assist the City in promoting multiple forms of transportation to and from the project site.**

Objective 7.1 Provide multi-modal opportunities and mixed-use development areas to reduce single-occupant automobile trips and reduce vehicle miles traveled.

**Approval of this application and the accompanying Ls-CPA application will permit the development of a mixed-use project site consistent with this City of Gainesville Comprehensive Plan objective that will allow and encourage the use of a variety of transportation choices.**

## 5. CONSISTENCY WITH THE LAND DEVELOPMENT CODE

The following identifies how this application is consistent with the City of Gainesville's LDC. Language from the LDC is provided in normal font, and the consistency statements are provided in **bold** font.

### Sec. 30-64 – Mixed-use Low Intensity District (MU-1)

(b) *Objectives.* The provisions of this district are intended to:

- 1) Permit compatible commercial, office, service and residential developments that benefit from being located near each other;

**This Rezoning application is being submitted concurrently with a Ls-CPA to change the site's existing FLU from PD and RM to MUL. Currently, there are no commercial uses found within a one (1) mile radius of the project site. Approval of the proposed Rezoning and concurrent Ls-CPA application will allow the project site to better serve the daily needs of the numerous multifamily residential developments within a mile radius of the project site with additional options for employment opportunities, goods, and services.**

- 2) Provide an adequate mix of residential uses including multifamily, townhouse, zero lot line, and detached single-family at urban densities.

**This application requests to change the site's existing zoning district from PD and RMF-6 to MU-1. The site is currently located within a multifamily residential corridor primarily targeted at students attending the University of Florida and Santa Fe College. This project site proposes multifamily apartments consistent with property's surrounding uses, thereby contributing the City of Gainesville healthy mix of residential uses.**

- 3) Provide opportunities for the development of compound residential uses.

**The requested MUL FLU and MU-1 Zoning District permit both single- and multi-family residential. If single-family residential is proposed with future development plans, compound residential will be considered. Due to the significant amount of multi-family residential development within walking distance to the project site, developing office and retail sales and service uses onsite will provide opportunities to obtain employment and meet retail and service needs without requiring an automobile, which is the intent of allowing compound residential uses.**

- 4) Minimize traffic congestion by:
  - a. Requiring that shopping center and/or mixed-use developments be located on appropriate major collector and arterial roadways, as defined in the comprehensive plan;

**The project site is located at the intersection of SW 20<sup>th</sup> Avenue and SW 52<sup>nd</sup> Street/SW 62<sup>nd</sup> Blvd. SW 20<sup>th</sup> Avenue is classified by the City of Gainesville as an arterial roadway while SW 62<sup>nd</sup> Boulevard is considered a collector. In addition, the Metropolitan Transportation Planning Organization (MTPO) has plans to extend SW 62<sup>nd</sup> Boulevard south in order to connect to new and existing Butler Plaza developments—further increasing the capacity of local roadways to facilitate more traffic and transportation choices to and from the development.**

- b. Minimizing the number and regulating the location of driveway connections; and

**The development will minimize the number and location of driveway connections along SW 52<sup>nd</sup> Street.**

- c. Encouraging pedestrian and nonautomotive access

**Due to the mixed-use nature of this development and the surrounding residences, this development will be designed so that the site can be accessed using a variety of transportation methods. Future development will provide both external and internal sidewalks for pedestrian usage and access to adjacent RTS transit stops.**

- 5) Ensure, through development plan approval, that nonresidential and mixed-use developments are designed to promote the most efficient use of the land, and that they coordinate the internal activities of the site as well as establish a harmonious relationship between such developments and their environment.

**Approval of this Rezoning application and the concurrent Ls-CPA application will allow a mixed-use development comprised of both residential and non-residential uses. The MUL FLU and MU-1 Zoning District were chosen to allow a dense and efficient mix of onsite uses. If approved, the project site will be developed consistent with all relevant buffering and setback policies found within the City LDC to ensure that the existing natural features are protected and to establish a harmonious relationship between the site and nearby multifamily developments.**

- 6) Require buffering or screening around nonresidential and/or mixed-use development in accordance with the land development code when the development abuts any property zoned for residential use or shown as residential on the future land use map.

**The site is bound by SW 20<sup>th</sup> Avenue to the north, SW 52<sup>nd</sup> Street to the east, a narrow land area ( $\pm$ 100 feet) to the south, and I-75 to the west. Future development plans will include onsite buffers consistent with Sec. 20-253 of the City of Gainesville LDC.**

- 7) Accommodate neighborhood-level services and retail uses along existing business corridors.

**The project site is located at the intersection of SW 20<sup>th</sup> Avenue and SW 52<sup>nd</sup> Street/SW 62<sup>nd</sup> Blvd., which is a major intersection with several hundred multi-family residences and no nonresidential uses within a one (1) mile radius. The lack of businesses along these segments is unique for these corridors. Providing a mixed-use development onsite will allow residents to meet daily needs by walking or biking to retail sales and service, or potential employment.**

- 8) Coordinate the location and size of mixed-use developments commensurate with the character and density of the areas to be served.

**The proposed mixed-use development is currently located at the intersection of three (3) existing multifamily apartment complexes. The proposed MU-1 district will permit the development of residential uses consistent with nearby neighborhoods and nonresidential uses that will serve the employment, retail, and service needs of residents. The site will be developed consistent with the character and density pattern of the existing intersection.**

- 9) Allow the market some flexibility in determining locations of new nonresidential development, and the ability to expand such areas in relation to the population densities achieved.

**The proposed MU-1 district will permit the development of various nonresidential uses in an existing residential intersection. This lack of existing commercial activity has created a demand for uses that can satisfy the daily needs of the surrounding residents (e.g. groceries, gas, clothing stores, etc.). If private investment is successful, then additional investment can occur on nearby undeveloped properties as population growth increasingly drives demand for more nonresidential uses.**

- 10) Encourage nonresidential and/or mixed-use developments to locate on land that is physically capable of supporting the particular type of development.

**The site is adjacent to collector and arterial roadways, where residents and/or customers will have direct access to the site. As per the site's environmental composition, the project area does not contain significant slopes, FEMA 100-year floodplains, or wetland areas that could preclude onsite development. Previous environmental analysis' conducted for a portion of the project site has identified the onsite presence of significant Upland Area and vegetation. As indicated within this report and all future development plans, the site will mitigate these concerns consistent with the City of Gainesville Comprehensive Plan and LDC.**

(c) *Permitted uses.* The provisions of this district are intended to:

- 1) *Specific conditions for residential uses.* If MU-1 zoning abuts a single-family residential zoning district, then the density of the residential portion of the mixed-use development shall be limited to that allowed by the RMF-6 residential district in the area within 100 feet of the property line, plus the required buffers for that single-family residential zoning district. In addition, multi-family development shall comply with all regulations in the RMF-6 district and the requirements of section 30-56.

**The project site is not located adjacent to existing single-family homes or zoning districts.**

- 2) *Specific conditions for single-family compound uses.* Twenty-five percent of the total floor area up to 1,000 square feet may be used for commercial or office uses. Such uses shall require a minimum lot size of 6,000 square feet and a lot width of 70 feet and shall have direct or shared access to a collector or arterial roadway.

**Single-family residential is not currently contemplated onsite. If single-family residential is proposed with future development plans, compound residential consistent with §30-64(c)(2) will be considered. Due to the significant amount of multi-family residential development within walking distance to the project site, developing office and retail sales and service uses onsite will provide opportunities to obtain employment and meet retail and service needs without requiring an automobile, which is the intent of allowing compound residential uses.**

(d) *Specific conditions for neighborhood shopping centers.*

- (1) *Developments of more than 30,000 square feet.* There is no minimum size for buildings within the MU-1 zoning district. However, within the MU-1 zoning district, nonresidential developments of more than 30,000 square feet of gross leasable floor area are considered neighborhood shopping centers and are subject to the rights of and conditions for neighborhood shopping centers.

**The proposed ±18.46-acre development discussed within this report will feature a mix of residential and nonresidential uses. The nonresidential uses proposed are expected to be mix of office and retail, consistent with the permitted uses in the MU-1 Zoning district. Although a development plan for the project site is not being submitted at this time, the project site could support nonresidential development in excess of 30,000 ft<sup>2</sup>. If future development plans propose gross leasable floor area greater than 30,000 ft<sup>2</sup>, the site will remain consistent with this code and are subject to the rights of and conditions for neighborhood shopping centers.**

- (2) *Location.* Neighborhood shopping centers shall be located within one-fourth mile of intersections of arterials or intersections of arterials and collectors, as shown on the map entitled Functional Classification of Streets, in the transportation mobility element of the city's comprehensive plan. Such uses shall have direct or shared access to an arterial.

**The project site is adjacent to SW 20<sup>th</sup> Avenue, an arterial, and SW 52<sup>nd</sup> Street, a collector. Direct access to the site will connect from SW 52<sup>nd</sup> Street.**

- (3) *Maximum gross leasable nonresidential floor area.* No more than 100,000 square feet of gross leasable nonresidential floorspace shall be allowed within any neighborhood shopping center.

**Although a development plan is not being submitted at this time, future development plans will not propose more than 100,000ft<sup>2</sup> of gross leasable floorspace.**

- (4) *Maximum gross leasable nonresidential floor area in any one business.* No more than 50,000 square feet shall be contained in any one business located within a neighborhood shopping center, except MG-54 (food stores).

**Although a development plan is not being submitted at this time, future development plans for the ±18.46-acre site will not allow for more than 50,000 ft<sup>2</sup> of floorspace to any single onsite business.**

- (5) *Location.* Dimensional requirements for permitted nonresidential uses. All principal and accessory structures shall be located and constructed in accordance with the following requirements:
- a. Required yard setbacks:
    1. Minimum front: 20 feet
    2. Maximum front: 80 feet
    3. Where the side or rear yard abuts property which is in a residential zoning district, or is shown for residential use on the future land use map of the comprehensive plan, the minimum setback shall be 50 feet or the distance created by the 45 degree angle of light obstruction, whichever is greater.

**Future development plans for the project site will maintain a front setback consistent with LDC §30-64(d)(5)a.1-2. Since the site is not immediately abutting any residential property, §30-64(d)(5)a.3. does not apply under these circumstances.**

- b. Maximum lot coverage: 50 percent for single-purpose, nonresidential; 60 percent for mixed-use (inclusive of residential) or compound use.

**Although a development plan is not being submitted at this time, future development plans for the project site will be consistent with the maximum lot coverage requirements in §30-64(d)(5)b.**

- c. Maximum building height: Five stories.

**All proposed onsite buildings will not exceed five (5) stories in height.**

- (6) *Multiple structures.* The use of multiple structures shall be considered on a case-by-case basis during development plan approval. Approval shall be conditioned upon findings by the appropriate reviewing board that all such structures are compatible with the uses and purposes of the center and surrounding uses and traffic patterns and are safely incorporated into the overall transportation system for the center.

**If multiple structures are proposed onsite, the developer will work with the relevant City of Gainesville parties to ensure that the proposed structures are consistent with the site's intended use, surrounding developments, projected traffic patterns, and are safely incorporated into the overall transportation system for the center.**

- (7) *Outparcels.* The proliferation of outparcels contributes to strip commercial development, traffic circulation problems and visual clutter, and obstructs pedestrian and bicycle movement. To mitigate the problems associated with outparcels, the following regulations shall apply:
  - a.. *Creation and design.* The creation of outparcels shall be considered on a case-by-case basis during subdivision, lot split approval or development plan approval. Approval shall be conditioned upon findings by the appropriate reviewing board or staff, as applicable, that the neighborhood shopping center and all outparcels are integrated through the use of landscaping and buffers; shared parking, traffic access and circulation; and stormwater management.
  - b. Dimensional requirements for outparcels. Outparcels which have unified circulation systems with the adjoining neighborhood shopping center shall not be required to meet the minimum lot area, width and depth requirements; however, development on outparcels shall be required to meet yard setback, lot coverage and building height requirements for the MU-1 district.

**Any outparcels created during the development review process for the project site will remain consistent with §30-64(d)(7).**

- (8) *Access.*
  - a. *Vehicular access.* Access to the neighborhood shopping center shall be in accordance with the provisions of article IX, division 3, and chapter 23 of the Code of Ordinances. Parking areas, including maneuvering space, ingress and egress roads and driving lanes, shall be improved in accordance with the provisions of article IX, division 3, and chapter 23 of the Code of Ordinances. All loading and unloading shall be done on the neighborhood shopping center property. Areas used by motor vehicles



shall be physically separated from public streets by landscaped buffer areas.

**Site access, parking, and loading/unloading areas will be in accordance with §30-64(d)(8)a. and other applicable LDC requirements.**

- b. Bicycle, greenway and pedestrian access. Provisions shall be made to safely incorporate travel ways for bicycle and pedestrian usage into any neighborhood shopping center project. Where bikeways, greenways or sidewalks are presently adjoining the property, provisions shall be made to safely link the internal bicycle and pedestrian system with adjoining facilities. During development plan review, the appropriate reviewing board shall also review the relationship of the neighborhood shopping center to adjoining properties and may require appropriate access for bicycles or pedestrians at locations where vehicular access is prohibited.

**Pedestrian and bicycle facilities will be proposed along adjacent roadways and internally to provide direct access to onsite structures consistent 30-64(d)(8)b.**

- (f) *Access.* Access shall be designed to integrate all aspects of the development and shall meet the requirements of article IX, division 3, of this chapter. Driveways and parking shall be coordinated or shared insofar as possible.

**Site access shall be proposed in accordance with all §30-64(f).**

**Sec. 30-67. - General provisions for business and mixed use districts.**

- (a) *Development plan approval.* Prior to the issuance of a building permit within any business or mixed use district, development plan approval, in accordance with article VII, is required.

**Prior to the issuance of a building permit, the site's development plan will be approved in accordance with article VII.**

- (b) *Parking.* In order to receive and maintain a valid certificate of occupancy within all business or mixed use districts, the parking requirements shall be complied with as set forth in article IX.

**Parking requirements shall be complied with as set forth in article IX in order to remain consistent with this LDC article IX.**

- (c) *Landscaping.* In order to receive and maintain a valid certificate of occupancy within all business or mixed use districts, the landscaping requirements shall be complied with as set forth in article VIII.

**Landscaping requirements shall be complied with as set forth in article VIII in order to remain consistent with this LDC article VIII.**

- (d) *Signs.* In order to receive and maintain a valid certificate of occupancy within all business or mixed use districts, the sign requirements shall be complied with as set forth in article IX.

**Sign requirements shall be complied with as set forth in article IX in order to remain consistent with this LDC article IX.**

- (e) *Flood control.* Prior to the issuance of a building permit in any business or mixed use district, the provisions of the flood control district, article VIII, shall be complied with where applicable.

**Flood control shall be complied with where applicable in order to remain consistent with this LDC VIII.**

- (f) *Access to business uses.* Where a parcel of property used for nonresidential use in any business or mixed use district abuts more than one street, access from either street to such property will be permitted only if no property in an RSF-1, RSF-2, RSF-3, RSF-4 or RC residential district or shown for single-family residential use on the future land use map of the comprehensive plan lies immediately across such street from such business or mixed use zoned property; provided, however, access may be permitted from any collector or arterial as shown in the comprehensive plan; and provided, further, that one point of access shall be permitted in any case, notwithstanding other provisions of this subsection.

**No adjacent properties to the project site feature a single-family zoning designation. As a result, this policy does not apply the subject development.**

- (g) *Outdoor storage and sales.* All principal uses in any business or mixed use district shall be contained within completely enclosed buildings, except as otherwise specifically provided as a permitted use. When not so specifically provided, outdoor storage or display of goods and commodities not contained within completely enclosed buildings is prohibited, except the following uses under the conditions prescribed herein.
- a. The development review board or city plan board at development plan review may authorize accessory display and storage outside of enclosed buildings if specifically requested and designated on a development plan. The proposal must be in accordance with the overall design and conditions of the development plan. If such use is located within 20 feet of a public right-of-way, it shall be enclosed by a screening wall, fence or hedge that is not less in height than two-thirds the height of any equipment or fixtures used or any material stored or offered for sale, and such wall, fence or hedge shall be at least 50 percent opaque. The outdoor storage and display must be clearly incidental or accessory to the principal use of the property and shall be limited to not more than 25 percent of the total stock of the principal use.
  - b. An independent request (not in connection with an existing request for development plan review) to allow outside accessory display and storage may be permitted by the development review board through the same terms as stated in subsection (g)(2)a. of this section.

**No development plans are being proposed as part of this application's submittal. At this time, no outdoor storage or sales are planned for this mixed-use development. However, if outdoor storage or sales are proposed as part of this site's future use, then future development plans will show that the site will remain consistent with this LDC requirement.**

- (h) Temporary emergency shelters. Use of buildings in the business and mixed use districts for temporary emergency shelters may be permitted by the city manager or designee, provided the following conditions and requirements are met:
- 1) The city manager or designee finds that a temporary emergency exists due to manmade or natural causes which warrant the temporary use of buildings for shelter.
  - 2) Emergency shelter operation shall be limited to 14 consecutive days and a total of 90 days in a calendar year.
  - 3) Emergency shelters shall not allow more than one person per 30 square feet of net floorspace.
  - 4) Pursuant to city codes and ordinances and approval of the appropriate departments, emergency shelters shall have adequate and safe wiring, running water, restrooms, emergency lighting, smoke detectors and emergency exits.
  - 5) Second and third floors of buildings shall not be used for emergency shelter purposes unless a protected means of egress is provided.
  - 6) If electric power is not initially provided to a building to be used for emergency shelter purposes, such power may be provided to the building pursuant to city codes and ordinances and approval of the appropriate department(s).

**At this stage in the development process, the site does not propose to be designated by City Staff as an emergency shelter.**

**Application Package**  
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1. Cover Letter
2. Rezoning Application
3. Owner Affidavit
4. Legal Description
5. Property Appraiser Datasheets and Tax Records
6. Neighborhood Workshop Materials
7. Justification Report
- 8. Attachments**
  - a. Environmental Review Application**
  - b. Map Set**
  - c. Public School Concurrency Form**

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<b>OFFICE USE ONLY</b>	
Petition No. _____	Fee: \$ _____
Tax Map No. _____	Receipt No. _____
<b>Account No. 001-660-6680-4063</b>	

**CHECK ONE:**

Basic       Level 1       Level 2      Submittal:  1st  2nd  3rd

**Basic Environmental Review – Submit general environmental assessment with application.**

**Level 1 Environmental Review – Submit environmental studies with application.**

**Level 2 Environmental Review – Submit mitigation and/or management plan.**

**(Review fees are set in accordance with the most current fee schedule. The environmental review fee includes a maximum of three reviews within 2 years per project.)**

Owner(s) of Record (please print)		Applicant(s)/Agent(s) (please print)	
Name: Legacy Fountains of Gainesville, LLC	Henderson Land Trust	Name: CHW	
Address: 1223 NW 114th Drive Gainesville, FL 32606	3501 S Main Street Suite 1 Gainesville, FL 32601	Address: 132 NW 76th Drive Gainesville, FL 32607	
E-mail: contact agent		E-mail: ryant@chw-inc.com	
Phone: contact agent Fax: contact agent		Phone: 352-331-1976 Fax: 352-331-2476	
<i>(If additional owners, please include on back)</i>			
PROJECT INFORMATION			
<b>Project Name</b>	Legacy Fountains of Gainesville and Henderson Tract		
<b>Check all regulated resources that apply to this development application:</b>			
Regulated Surface Waters & Wetlands (LDC 30-300)	<input type="checkbox"/> Surface Waters and/or Wetlands		
Regulated Parks & Conservation Areas (LDC 30-307)	<input type="checkbox"/> Nature Park and Public Conservation/Preservation Areas District		
Regulated Natural & Archaeological Resources (LDC 30-310)	<input type="checkbox"/> Floridan Aquifer High Recharge Area		
	<input type="checkbox"/> Significant Natural Communities		
	<input checked="" type="checkbox"/> Listed Species		
	<input checked="" type="checkbox"/> Strategic Ecosystems		
	<input type="checkbox"/> Significant Archaeological Resources		
	<input type="checkbox"/> Significant Geological Resource Features		

I certify that the above statements are correct and true to the best of my knowledge.

\_\_\_\_\_  
Applicant's signature

8/28/17  
\_\_\_\_\_  
Date

**Certified Cashier's Receipt:**

Current Planning  
Planning Counter—158

Phone: 352-334-5023

Thomas Center B  
306 NE 6<sup>th</sup> Avenue

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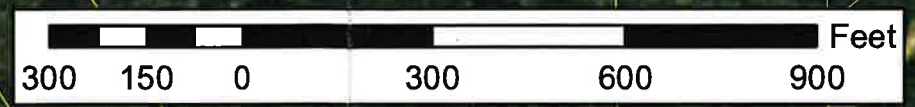


**Legacy Fountain of Gainesville  
Ls-CPA and Rezoning Application**



**Legend**

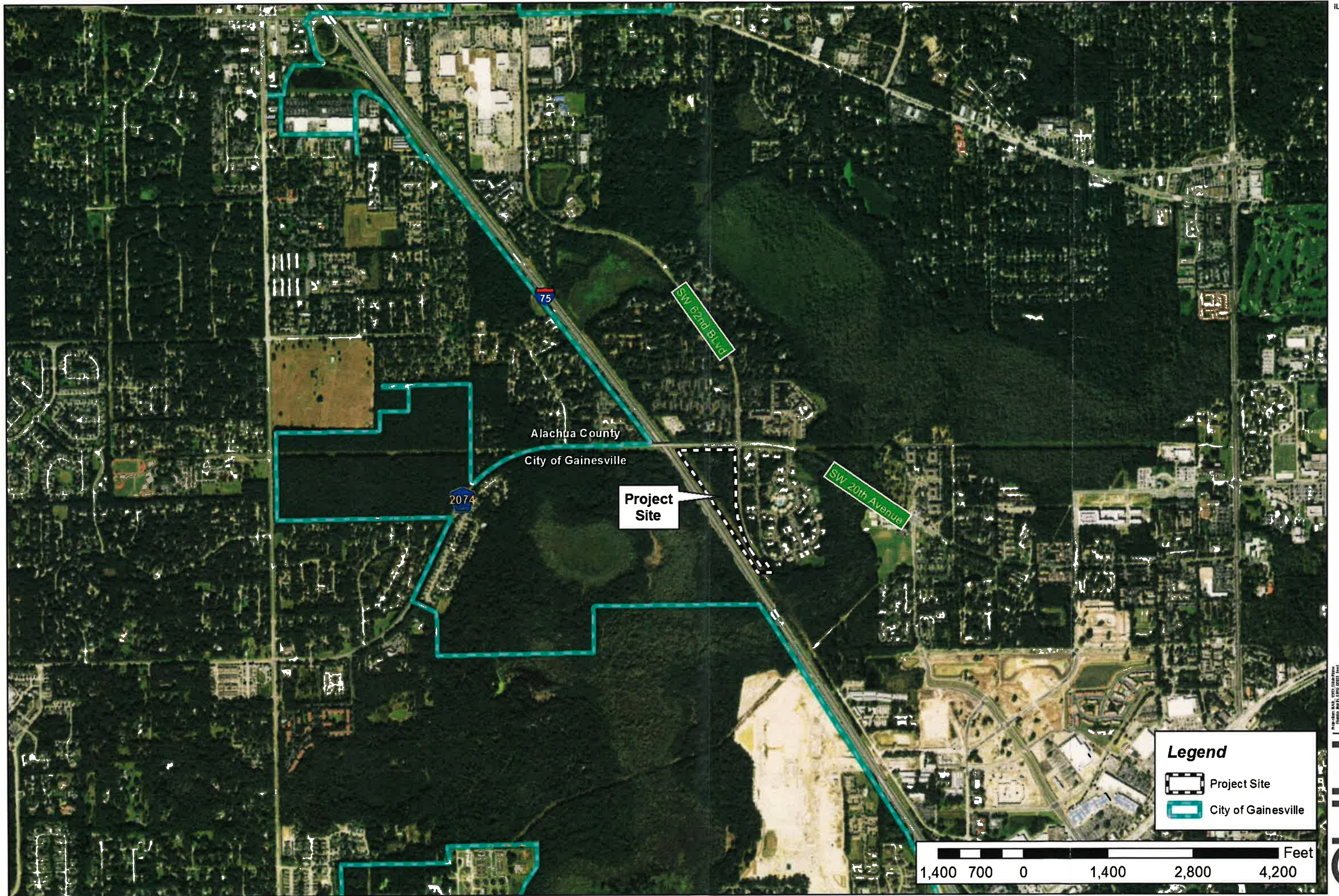
-  Project Site
-  Alachua County Tax Parcels
-  City of Gainesville



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Datum: North American 1983  
Prepared by: Employee #118  
Date: 8/23/2017







**Legacy Fountain of Gainesville  
 Ls-CPA and Rezoning Application**

**NORTH**

Project: Ls-CPA and Rezoning Application  
 Prepared by: Employee #111  
 Date: 8/24/2017

**Legend**

-  Project Site
-  City of Gainesville







**Legend**

- Project Site
- Alachua County Tax Parcels
- City of Gainesville
- City of Gainesville Future Land Use**
  - CON: Conservation
  - MUM: Mixed Use Medium
  - PF: Public and Institutional Facilities
  - PUD: Planned Use District
  - REC: Recreation
  - RL: Residential Low
  - RM: Residential Medium
- Alachua County Future Land Use**
  - High Density Residential
  - Low Density Residential
  - Medium High Density Residential



**Legacy Fountain of Gainesville  
Ls-CPA and Rezoning Application**



Project: L1017117-03 Planning/GIS/MXD/2A.mxd  
 Prepared by: Employee #111  
 Date: 8/24/2017

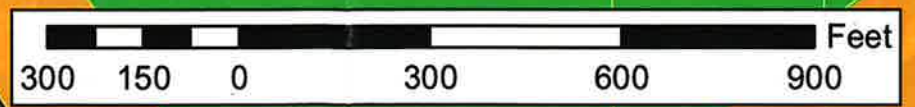






**Legend**

- Project Site
- Alachua County Tax Parcels
- City of Gainesville
- Proposed City of Gainesville Future Land Use**
- CON: Conservation
- MUL: Mixed Use Low
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- Low Density Residential
- Medium High Density Residential



**Legacy Fountain of Gainesville  
Ls-CPA and Rezoning Application**

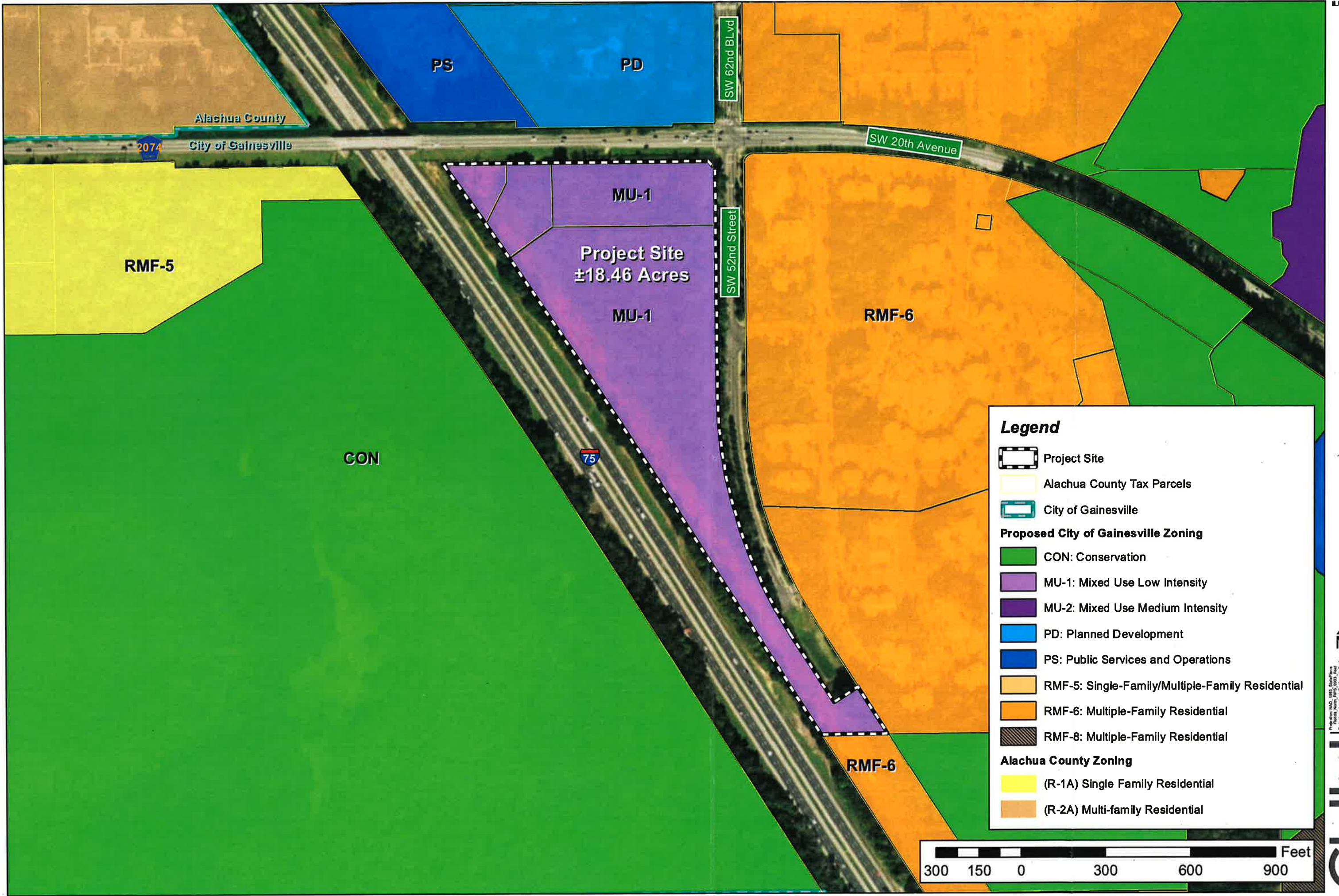


Prepared by: Employee ##  
Date: 8/24/2017









Legacy Fountain of Gainesville  
Ls-CPA and Rezoning Application

**Legend**

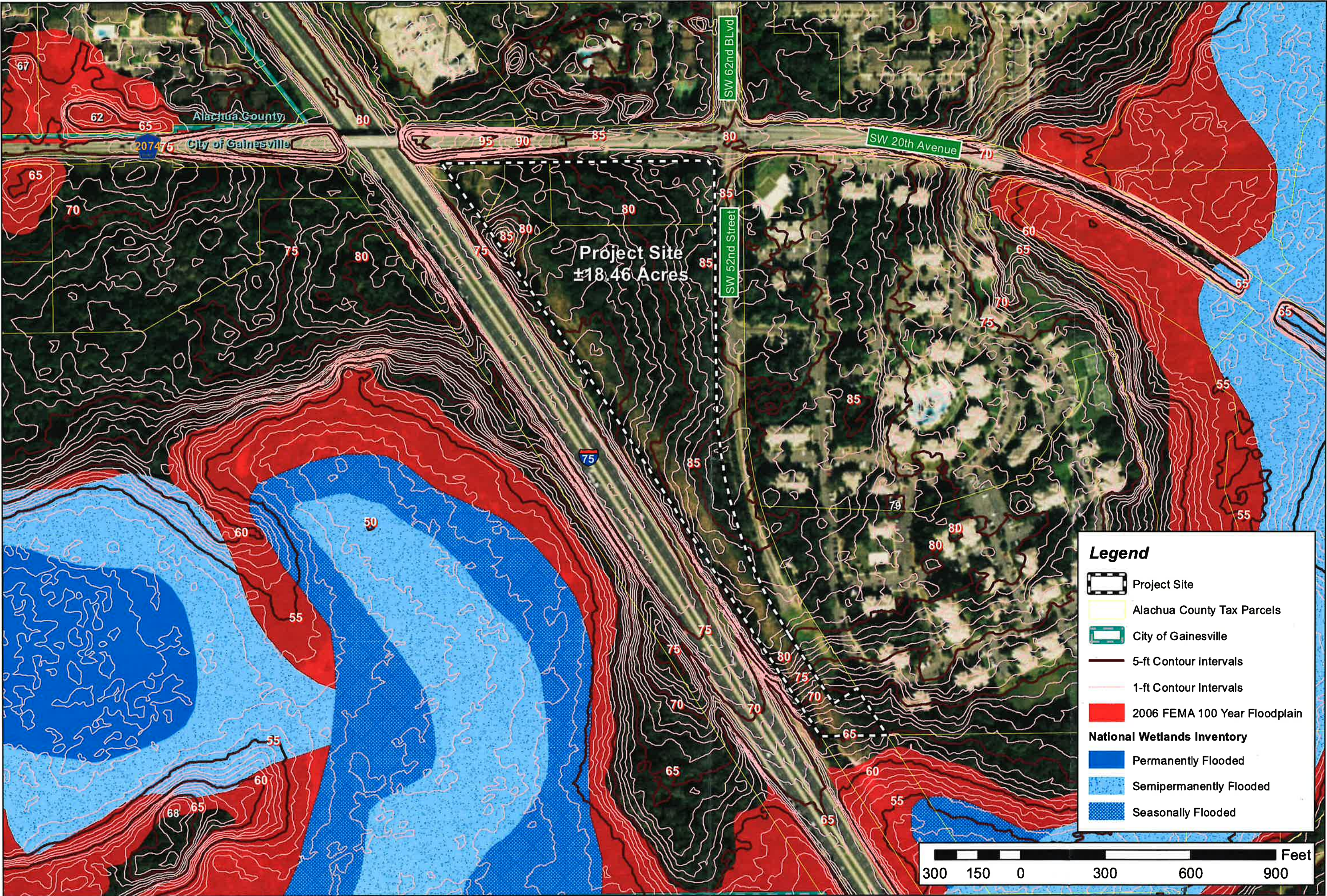
- Project Site
- Alachua County Tax Parcels
- City of Gainesville
- Proposed City of Gainesville Zoning**
- CON: Conservation
- MU-1: Mixed Use Low Intensity
- MU-2: Mixed Use Medium Intensity
- PD: Planned Development
- PS: Public Services and Operations
- RMF-5: Single-Family/Multiple-Family Residential
- RMF-6: Multiple-Family Residential
- RMF-8: Multiple-Family Residential
- Alachua County Zoning**
- (R-1A) Single Family Residential
- (R-2A) Multi-family Residential



Prepared by: Employee #  
Date: 8/24/2017







**Legend**

- Project Site
- Alachua County Tax Parcels
- City of Gainesville
- 5-ft Contour Intervals
- 1-ft Contour Intervals
- 2006 FEMA 100 Year Floodplain
- National Wetlands Inventory**
  - Permanently Flooded
  - Semipermanently Flooded
  - Seasonally Flooded

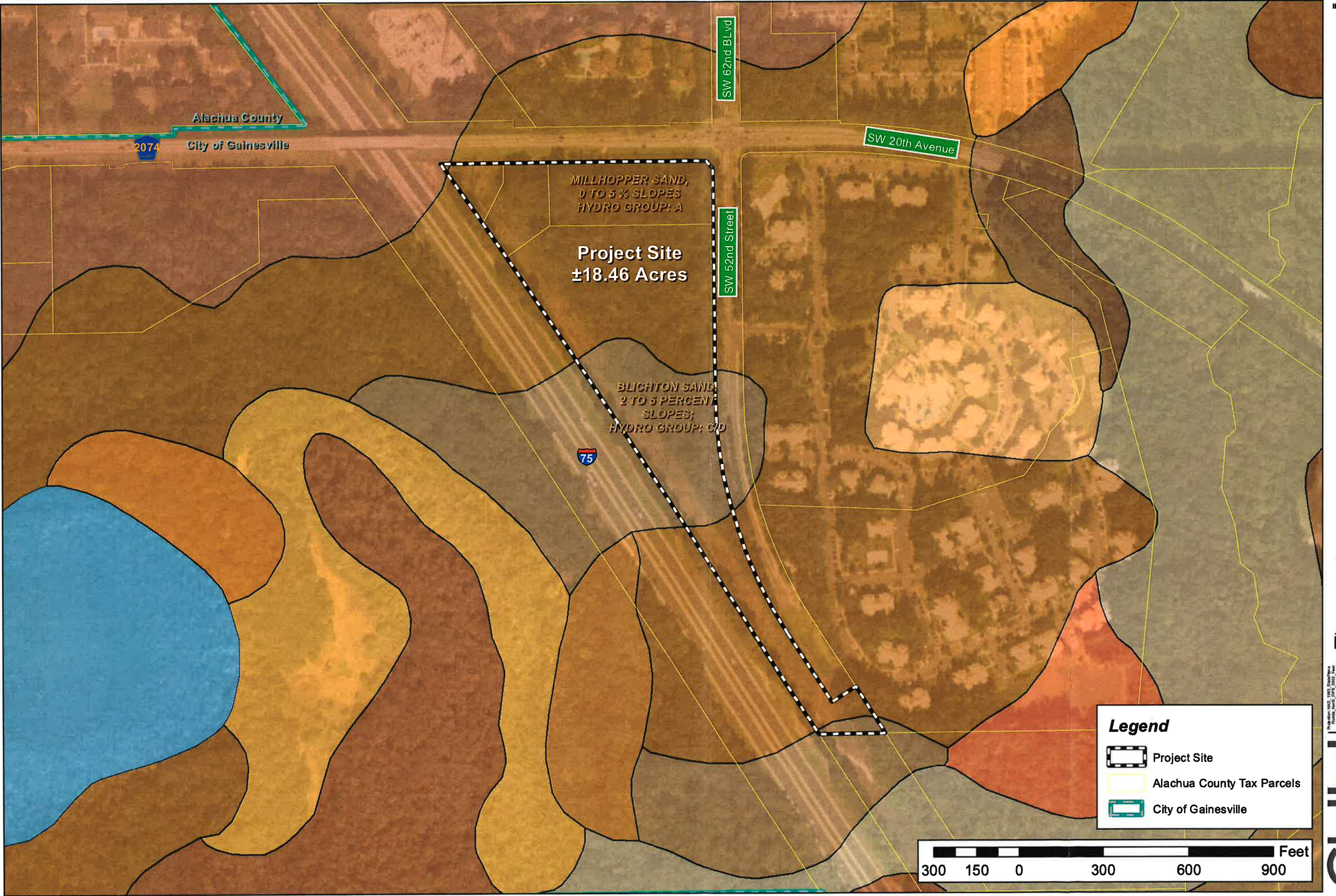


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 UTM Zone Number: 18Q  
 UTM Meridian: 81.000000  
 UTM Easting: 500000.00  
 UTM Northing: 1700000.00  
 Prepared by: Employee #1817  
 Date: 8/23/2017



**Legacy Fountain of Gainesville  
Ls-CPA and Rezoning Application**





Alachua County  
City of Gainesville

2074

SW 62nd Blvd

SW 20th Avenue

SW 52nd Street




MILLHOPPER SAND,  
0 TO 5 % SLOPES  
HYDRO GROUP: A

Project Site  
±18.46 Acres

BLYHTON SAND,  
2 TO 5 PERCENT  
SLOPES;  
HYDRO GROUP: C/D



**Legend**

-  Project Site
-  Alachua County Tax Parcels
-  City of Gainesville



Projection: NAD 83, StatePlane  
Florida North, FIPS 3100, Zone 17  
Datum: North American 1983  
Spheroid: GRS 1980  
Semi-Major Axis: 6378137.0  
Semi-Minor Axis: 6378137.0  
Units: Meter  
Scale: 1:250000  
Prepared by: Employee #117  
Date: 8/23/2017



**Application Package**  
**Table of Contents**

1. Cover Letter
2. Rezoning Application
3. Owner Affidavit
4. Legal Description
5. Property Appraiser Datasheets and Tax Records
6. Neighborhood Workshop Materials
7. Justification Report
- 8. Attachments**
  - a. Environmental Review Application
  - b. Map Set
  - c. Public School Concurrency Form**

# City of Gainesville

## PUBLIC SCHOOL STUDENT GENERATION CALCULATION FORM

PROJECT #

APPLICATION DATE

8-28-2017

NAME & DESCRIPTION OF PROJECT

Legacy Fountains of Gainesville & Henderson Land Trust

PROJECT ADDRESS (Contact 911 Addressing @ 352.338.7361)

Southwest corner of the SW 52nd Street and SW 20th Avenue intersection

Tax Parcel Numbers

06680-003-000, 06680-003-001, and a portion of 06680-000-000

Acreage

±18.5

DEVELOPMENT DATA (check all that apply)

Single Family

Multi Family

Exempt (See exemptions on page 2)

Number of Units

Number of Units

62

Level of Review

Pre-Application Conference

Preliminary

Final

Revised

Staff Administrative Review

*A determination that there is adequate school capacity for a specific project will satisfy requirements for review for school concurrency for the periods of time consistent with the Interlocal Agreement and specified in local government land development regulations; an agreement by the School Board with the developer and local government is required to extend the period for approvals for phased projects beyond the generally applicable time period*

### EXPLANATION OF STUDENT GENERATION CALCULATION

Student Generation is calculated based on the type of residential development and the type of schools. The number of student stations (by school type - Elementary, Middle and High School) used for calculating the school concurrency impacts is equal to the number of dwelling units by housing type multiplied by the student generation multiplier (for housing type & school type) established by the School Board. Calculations are rounded to the nearest whole number. Student Generation for each school type is calculated individually to assess the impact on the **School Concurrency Service Area (SCSA)** for each school type (Elementary, Middle and High School).

### SCHOOL CONCURRENCY SERVICE AREAS (SCSA) FOR PROJECT LOCATION

Based on the project location, please identify the corresponding School Concurrency Service Areas for each school type. Maps of the SCSAs can be obtained from Alachua County Growth Management Department GIS Services by clicking on the "GIS Data" link.

[http://growth-management.alachuacounty.us/gis\\_services/map\\_gallery/](http://growth-management.alachuacounty.us/gis_services/map_gallery/)

### SCHOOL CONCURRENCY SERVICE AREAS (SCSA)

Elementary

Littlewood

Middle

Kanapaha

High

Buchholz

**SINGLE FAMILY RESIDENTIAL DEVELOPMENT STUDENT GENERATION CALCULATIONS**

<b>ELEMENTARY</b>	<input type="text"/>	<b>units X 0.15 Elementary School Multiplier</b>	<input type="text"/>	<b>Student Stations</b>
<b>MIDDLE</b>	<input type="text"/>	<b>units X 0.07 Middle School Multiplier</b>	<input type="text"/>	<b>Student Stations</b>
<b>HIGH</b>	<input type="text"/>	<b>units X 0.09 High School Multiplier</b>	<input type="text"/>	<b>Student Stations</b>

**MULTI FAMILY RESIDENTIAL DEVELOPMENT STUDENT GENERATION CALCULATIONS**

<b>ELEMENTARY</b>	<input type="text" value="62"/>	<b>units X 0.08 Elementary School Multiplier</b>	<input type="text" value="5"/>	<b>Student Stations</b>
<b>MIDDLE</b>	<input type="text" value="62"/>	<b>units X 0.03 Middle School Multiplier</b>	<input type="text" value="2"/>	<b>Student Stations</b>
<b>HIGH</b>	<input type="text" value="62"/>	<b>units X 0.03 High School Multiplier</b>	<input type="text" value="2"/>	<b>Student Stations</b>

Source: School Board of Alachua County 2015 Student Generation Multiplier Analysis

**EXEMPT DEVELOPMENTS (click all that apply)**

- Existing legal lots eligible for a building permit
- Development that includes residential uses that has received final development plan approval prior to the effective date for public school concurrency, or has received development plan approval prior to June 24, 2008, provided the development approval has not expired
- Amendments to final development orders for residential development approved prior to the effective date for public school concurrency, and which do not increase the number of students generated by the development
- Age-restricted developments that prohibit permanent occupancy by persons of school age, provided this condition is satisfied in accordance with the standards of the Public School Facilities Element or the ILA
- Group quarters that do not generate public school students, as described in the ILA

**AUTHORIZED AGENT**

Name:

Mailing Address:

Phone:

Email:

Name:

Mailing Address:

Phone:

Email:

**PROPERTY OWNER**

Name:

Mailing Address:

Phone:

Email:

**CERTIFICATION**

**PROJECT NAME :**  **PROJECT #:**

This application for a determination of the adequacy of public schools to accommodate the public school students generated by the subject development has been reviewed for compliance with the school concurrency management program and in accordance with the ILA. The following determinations have been made:

**Approved** based upon the following findings (see 2015-2016 Capacity Tables)

**Elementary SCSA**  Capacity Required

- Capacity Available Available Capacity
- Capacity Available in 3 yrs Available Capacity
- Capacity Available in Adjacent SCSA Available Capacity

**Middle SCSA**  Capacity Required

- Capacity Available Available Capacity
- Capacity Available in 3 yrs Available Capacity
- Capacity Available in Adjacent SCSA Available Capacity

**High SCSA**

- Capacity Available Available Capacity
- Capacity Available in 3 yrs Available Capacity
- Capacity Available in Adjacent SCSA Available Capacity

**Denial** for reasons stated

**Approved by**

**School Board Staff Certification**

**Vicki McGrath**  
Community Planning Director  
School Board of Alachua County  
352.955.7400 x 1423

Date:

**City of Gainesville Staff**

A complete application for the development project was accepted on

Date:

Signed:

Printed Name:



## MEMORANDUM

**To:** Dean L. Mimms, AICP, Planning Consultant, Department of Doing 17-0310  
**From:** Brian Snyder, PE, Project Manager  
**Date:** October 6<sup>th</sup>, 2017  
**RE:** Legacy Fountains of Gainesville - Trip Generation and Distribution Memorandum

Legacy Fountains of Gainesville is a Mixed-Use Development that is proposed at the southwest quadrant of the intersection of SW 52<sup>nd</sup> Street and SW 20<sup>th</sup> Avenue.

This trip generation and distribution memorandum is based on the following land uses:

- Apartment (ITE Code 220) - 554 bedrooms
- Specialty Retail (ITE Code 826) – 50 KSF
- General Office Building (ITE Code 710) – 50 KSF

The trip generation for Legacy Fountains of Gainesville is provided in the table below. ITE Trip Generation Manual, 9th Edition was used to determine the trip generation. The FDOT program, Trip Generation, Internal Capture and Pass-by Software (TIPS) was used to determine the internal capture. The TIPS summary sheet is provided at the end of this memorandum.

Trip Generation - Legacy Fountains of Gainesville			
Land Use	ITE Code	Variable	Daily
Apartment	220	554 bedrooms	1,858
Specialty Retail Center	826	50 KSF	2,216
General Office Building	710	50 KSF	775
Subtotal			4,849
Internal Capture Reduction			614
Net Total Trips			4,235

\* Trip generation equation used as recommended by TIPS:  
 Apartment -  $T = 3.47(554 \text{ bedrooms}) - 64.48 = 1,858$   
 Specialty Retail Center -  $T = 44.32(50 \text{ KSF}) = 2,216$   
 General Office Building -  $\ln(T) = 0.76 \ln(50) + 3.68; T = 775$

### Trip Generation – Legacy Fountains of Gainesville

*Brian Snyder*  
 10/6/2017

2016 AADT from FDOT Traffic Online was used to determine the estimated daily trip distribution along the adjacent roadways. The AADT along the following road segments were used to estimate the daily trip distribution.

- SW 24<sup>th</sup> Avenue, west of Tower Road
- SW 20<sup>th</sup> Avenue, east of SW 43<sup>rd</sup> Street
- SW 62<sup>nd</sup> Boulevard, north of SW 52<sup>nd</sup> Street

The following figure provides the trip distribution percentages derived from the ADT as well as the estimated daily net new project trips distributed along the adjacent roadways.



# TIPS Site Summary Worksheet

**Site Information**  
**Name of Development** Legacy Fountains  
**Name of Applicant** CHW  
**Name of Analyst** Brian Snyder, PE  
**Date** 10/6/2017  
**Development Phase** N/A  
**Analysis Year** 2017

**Adjacent Highways Passby Information**  
**North/ South Roadway**  
**North/ South Daily Hour Volume**  
**East/ West Roadway**  
**East/ West Daily Hour Volume**

ITE Code	Land Type	# Units	Independent Variable	Total Single Use Trips	Trip Generation		IC Trips Based on IC Rate		Balanced IC Trips w/Reason Check		Total IC Trips	Real IC %	Trips on External Roadway		Total Trips	Result Pass By	Street Dir	M O D
					In	Out	In	Out	In	Out			In	Out				
710	General Office Building	50000	sq. feet gross floor area	249	124	125	19	29	19	29	48	19	105	96	201	-	E/W	*
220	Apartments	554	persons	1858	929	929	124	100	124	100	224	12	805	829	1634	-	E/W	*
814	Specialty Retail Center	50000	sq. feet gross leasable area	2216	1108	1108	127	141	127	141	268	12	981	967	1948	-	E/W	*
Total Volume				4323			270	270	270	270	540	12%	1891	1892	3783			

(\* indicates the land use was modified from the original rates.)