



City of Gainesville  
Department of Doing  
Planning Division

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## CITY PLAN BOARD STAFF REPORT

**PUBLIC HEARING DATE:** February 22, 2018

**ITEM NO:** 1.

**PROJECT NAME AND NUMBER:** PB-17-07 ZON – Thomas A. Daniel, Agent for Julie Ann Miller, Trustee. Rezone BUS (General Business) to BI (Business Industrial).

**APPLICATION TYPE:** Quasi-Judicial

**RECOMMENDATION:** Approve

**CITY PROJECT CONTACT:** Dean Mimms, AICP, Planning Consultant

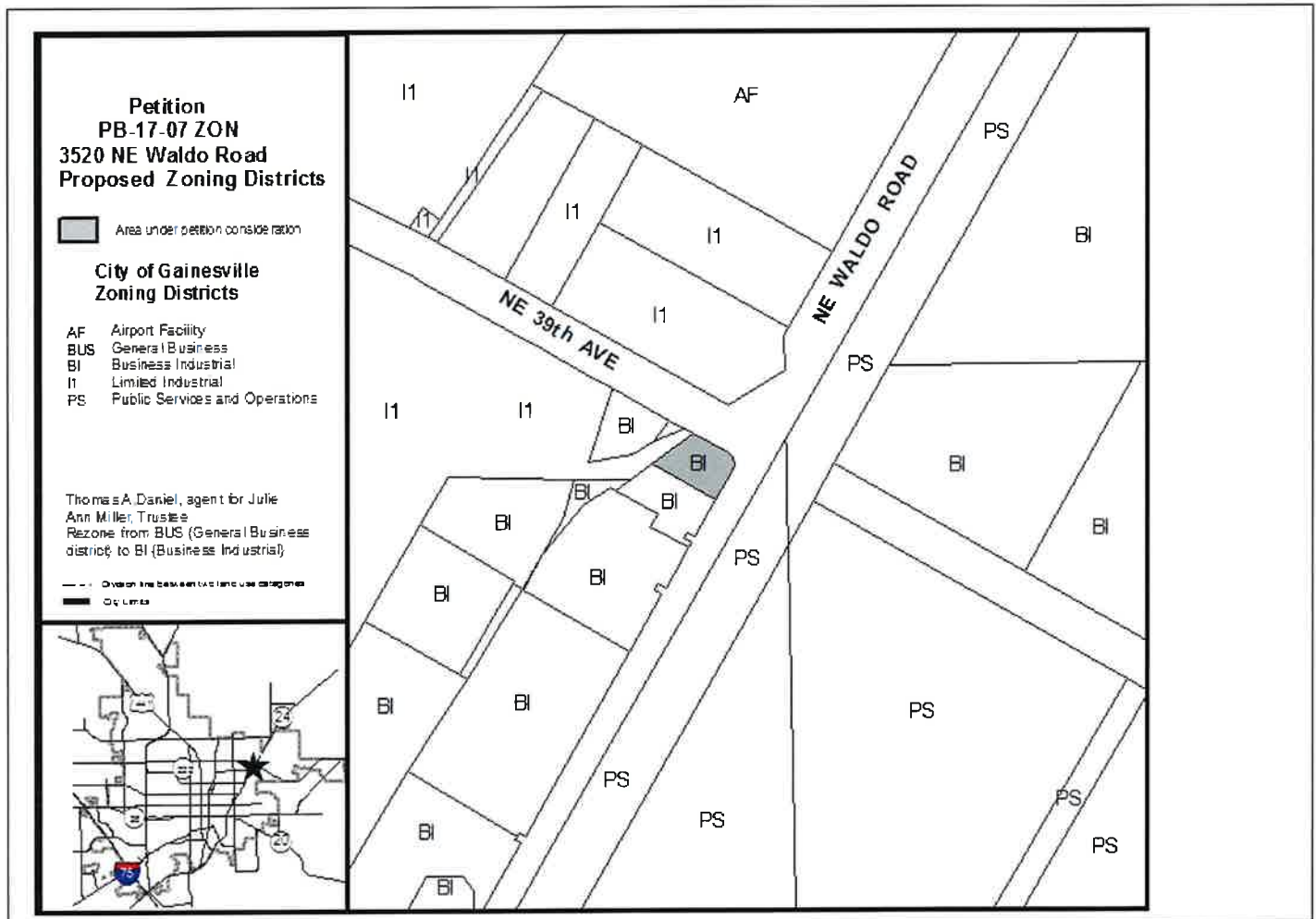


Figure 1: Location of Proposed Rezoning

**APPLICATION INFORMATION:**

**Agent/Applicant:** Thomas A. Daniel, Agent for Julie Ann Miller, Trustee  
**Property Owner(s):** Julie Ann Miller, Trustee  
**Related Petition(s):** N/A  
**Legislative History:** N/A (3,000 sq. ft., 1-story building constructed in 1976)  
**Neighborhood Workshop:** November 6, 2017

**SITE INFORMATION:**

**Address:** 3520 NE Waldo Road  
**Parcel Number(s):** 08198-016-002  
**Acreage:** +/- 0.38 ac.  
**Existing Use(s):** Used Furniture Sales, Food Truck  
**Land Use Designation(s):** Commercial (C)  
**Zoning Designation(s):** General Business (BUS)  
**Overlay District(s):** Eastside CRA  
**Transportation Mobility Program Area (TMPA):** TMPA Zone A  
**Census Tract:** CT 4, Block Group 1, Census Block 1000  
**Water Management District:** St. Johns River Water Management District  
**Special Feature(s):** Former convenience store, gas pumps removed  
**Annexed:** 1961  
**Code Violations:** No open code violation cases (Source: City of Gainesville Codes Enforcement, 2/7/18)

**ADJACENT PROPERTY CHARACTERISTICS:**

	<b>EXISTING USE(S)</b>	<b>LAND USE DESIGNATION(S)</b>	<b>ZONING DESIGNATION(S)</b>
<b>North</b>	<b>Tool &amp; Machinery Rental</b>	<b>IND (Industrial)</b>	<b>I-1 (Limited Industrial)</b>
<b>South</b>	<b>Automotive Body &amp; Paint Shop</b>	<b>IND (Industrial)</b>	<b>BI (Business Industrial)</b>

<b>East</b>	<b>Waldo-Depot Rail Trail, Warehouse (UF)</b>	<b>PF (Public and Institutional Facilities)</b>	<b>PS (Public Services and Operations)</b>
<b>West</b>	<b>Automotive Sales (used) Gateway Autos</b>	<b>IND (Industrial)</b>	<b>BI (Business Industrial)</b>

**PURPOSE AND DESCRIPTION:**

The proposed rezoning from General Business (BUS) to BI (Business Industrial) will change a 0.38-acre enclave of BUS zoning to BI consistent with the surrounding area. The site is located on the southwest corner of the intersection of two major State arterials: NE 39th Avenue (S.R. 222) and NE Waldo Road (S.R. 24). The agent for the applicant stated that the surrounding property owners are contemplating combining their properties to create a better development opportunity. The site is diagonally across from the BI-zoned area at the northeast quadrant of this intersection that is the current site of Alachua County Agricultural Extension Office which, along with the Fairgrounds site to its east and undeveloped City of Gainesville/airport property to its north, has substantial redevelopment and economic development potential.

The subject property contains a 3,000 sq. ft., single-story building constructed in 1976. In recent decades it was used as a convenience store/gas station and is currently in a used furniture store. There is a permitted food truck on site.

**STAFF ANALYSIS AND RECOMMENDATION:**

**ANALYSIS**

**Basis for Recommendation**

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

- Conformance with the Comprehensive Plan;
- Conformance with the Land Development Code;
- Changed Conditions;
- Compatibility; and
- Impacts on Affordable Housing.

**1. Conformance with the Comprehensive Plan**

The proposed Business Industrial (BI) district zoning is an allowed zoning district under the existing Commercial (C) future land use. The proposed BI zoning is supportive of the City's objectives of encouraging infill development and redevelopment, and discouraging urban sprawl. The proposed rezoning is therefore consistent with Future Land Use Element, Objective 1.5, Goal 2, and Objective 2.1 of the Future Land Use Element. By facilitating potential redevelopment, the proposed rezoning is also consistent with Policy 2.3.2 of the Future Land Use Element.

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

**GOAL 2** Redevelop areas within the City, as needed, in a manner that promotes quality of life, transportation choice, a healthy economy, and discourages sprawl.

**Objective 2.1** Redevelopment should be encouraged to promote compact, vibrant urbanism, improve the condition of blighted areas, discourage urban sprawl, and foster compact development patterns that promote transportation choice.

**Policy 2.3.2** The City shall assist with the implementation, as appropriate, of the Community Redevelopment Plan for the Eastside Community Redevelopment Area.

See Exhibit A-1 - Comprehensive Plan - Transportation Mobility Element GOPs, for other policies relevant to this proposed rezoning.

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

The proposed Business Industrial (BI) zoning is an allowed zoning district under the existing Commercial (C) future land use category. See Exhibit B-3 - LDC Article IV, Sections 30-4.19 – 30-4.21) for regulations pertaining to this non-residential zoning district.

Any proposed redevelopment or new development will be required to meet all applicable Land Development Code requirements, including but not limited to those for wellfield protection (the property is within the Secondary Wellfield Protection Zone), landscaping, lighting, and noise regulation.

## **3. Changed Conditions**

The gas station and convenience store that operated for several decades on this site closed in 2016 and the gas pumps were removed. According to the agent for the applicant (in an e-mail to Planning staff on February 7, 2018, surrounding owners [of BI-zoned property] are discussing combining parcels in order to increase future development opportunities at this general location (southwest corner of the intersection of NE 39<sup>th</sup> Avenue and Waldo Road).

## **4. Compatibility**

The proposed Business Industrial (BI) zoning is compatible with the adjacent BI zoning to the south and west, with the I-1 (Limited Industrial) across NE 39<sup>th</sup> Avenue (State Road 222 to the north), and with the PS (Public Services and Operations) across Waldo Road (SR 24 to the east). BI and I-1 are Non-residential Districts (per Section 30-4.1 of the Land Development Code) that allow a broad range of uses, and PS is a Special District (per Section 30-4.1) that also allows a broad range of non-residential uses. Compatibility will be further assured by meeting Land Development Code requirements with respect to landscape buffers, building height limits, plus lighting and noise regulations.

The subject property is not subject to the Development Compatibility provisions of Section. 30-4.8 (see Exhibit B-4 - LDC Article IV, Sec. 4.8. Development Compatibility) with respect to nearby single-family zoning (e.g., maximum building heights of 3 stories or 36 feet within 100 feet of single-family zoning), because the nearest single-family zoned property is 794 feet to the west.

## 5. Impacts on Affordable Housing

The proposed rezoning from General Business (BUS) to Business Industrial (BI) zoning will have no impact on the supply of potential affordable housing because neither BUS nor BI is a residential or mixed-use zoning district.

### Transportation

There are no major transportation issues associated with this proposed zoning change for this developed, 0.38-acre property that is located within Zone A of the Gainesville Transportation Mobility Program Area (TMPA). The proposed rezoning from BUS to BI will have at most a *de minimis* impact on potential trip generation because of the substantial similarity (identical in most cases) of permitted uses in each of these zoning districts (See Section 30-4.19. Permitted Uses, in Exhibit B-3 - LDC Article IV, Sections 30-4.19. – 30-4.21.)

The subject property fronts NE 39<sup>th</sup> Avenue (S.R. 222), which a 4-lane, arterial highway that is part of State of Florida's Strategic Intermodal System (SIS), and NE Waldo Road (S.R. 24), which is also a 4-lane arterial, State highway. Both roads are operating at LOS "C" and have an adopted LOS (Level of Service) of "E" (source: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area – Multimodal Level of Service Report, Year 2015, Average Annual Daily Traffic, September 30, 2016), so they are operating at an acceptable level of service. Northeast 39<sup>th</sup> Avenue has bike lanes and sidewalks on both sides of the road. Northeast Waldo Road has a sidewalk on the west side of the road, and a bicycle/pedestrian path (Waldo-Depot Rail Trail) east of the roadway.

The property is within one-quarter mile of the property lines of an existing transit hub (Airport/Plan East Gainesville Employment Center (See Exhibit B-5 - Map: Existing Transit Hubs & Transit-Supportive Areas). Because of this proximity, Policy 10.2.5 of the Transportation Mobility Element (see Exhibit A-1 - Comprehensive Plan - Transportation Mobility Element GOPs) requires the City to reduce by 25% the net, new average daily trip generation for any redevelopment project or any project that expands or converts a building to a new use.

Transit service along Northeast 39<sup>th</sup> Avenue is provided every 60 minutes, Monday-Friday (no weekend service) by RTS Route 39 (Santa Fe to Airport) and RTS Route 26 (Rosa Parks Transfer Station to Airport). Transit service is provided every 65 minutes, 7 days per week by RTS Route 25 (UF Commuter Lot to Airport), which runs from the south along Northeast Waldo Road then east along Northeast 39<sup>th</sup> Avenue to the Airport (then reverses direction in its return to the Rosa Parks Transfer Station).

## **Environmental Impacts and Constraints**

In a memorandum dated January 17, 2018, City Environmental Coordinator Mark Brown, PWS, CPSS provided the following assessment:

The subject petition includes a proposed amendment of the City's zoning for a 0.37-acre area associated with a single parcel (Parcel #: 08198-016-002) located at 3520 NE Waldo Road. The property has been previously developed and utilized as a convenience store that also included a fuel station with two pumps. The building structure is currently present, however the business closed and pumps removed in 2016. The petition proposes a zoning change from General Business (BUS) to Business Industrial (BI).

The proposed activities have been reviewed for considerations relating to the presence of environmental resources regulated by the City's Land Development Code (LDC) Division 3 - *Natural and Archaeological Resources* and Division 4 - *Surface Waters and Wetlands*.

The subject parcel doesn't possess any regulated wetlands, however a small stormwater basin is located in the southwest corner of the property. The basin treats stormwater draining from the existing pavement of the facility and periodically contains surface waters. However, surface waters within constructed basins qualify as exempt from regulatory criteria per the LDC Division 4, Section 30-8.18. 8. There are no evident or documented natural features or archaeological artifacts regulated under criteria stipulated in Division 3.

In e-mail dated February 5, 2018 (see Exhibit B-6 - E-mail from County EPD re: Hazardous Waste Monitoring), Gus Olmos, P.E., Water Resources Manager, Alachua County Environmental Protection Department, noted that the subject property is an active petroleum cleanup facility (Monitored Natural Attenuation, FDEP Facility ID# 018732807) and provided the FDEP (FL Department of Environmental Protection) July 17, 2017 Quarterly Report for it. If no groundwater contamination greater the GCTL (Groundwater Contamination Level) is indicated after four quarters of sampling, then the required remediation will be deemed complete, and the on-site monitoring wells can be properly abandoned.

## **RECOMMENDATION**

Approve Petition PB-17-07 ZON

## **DRAFT MOTION FOR CONSIDERATION**

Approve Petition PB-17-07 ZON

**BACKGROUND:**

This approximately 0.38-acre, property located at the southwest corner of a major intersection (Northeast 39<sup>th</sup> Avenue and Northeast Waldo Road) is the site a 3,000 sq. ft., single-story cement block building that was built in 1976. The building and associated gas pumps was operated in recent decades as convenience store/gas station until it closed and the gas pumps were removed in 2016. It is currently used for used furniture sales and is the site of a permitted food truck.

The agent for the applicant for this rezoning petition met with staff in 2017 and expressed interest rezoning the property from General Business (BUS) to Business Industrial (BI). The agent/applicant chose to wait until after adoption of the updated Land Development Code (LDC, adopted August 2017 and effective September 2017) and related Comprehensive Plan amendments. The updated LDC and amended Comprehensive Plan, unlike their immediate predecessors, did not require amendment of the property's Commercial future land use category to the Business Industrial category, because BI is now an allowable zoning district for the Commercial land use category.

Regarding the proposed rezoning to BI, in an e-mail dated February 7, 2018, Thomas A. Daniel, Attorney at Law, and agent for the applicant, stated that:

In order to plan for future development the surrounding owners are discussing combining parcels in order to make a larger more attractive development opportunity for this gateway corner. This is the only parcel that is zoned different than the other adjoining parcels all of which have the BI zoning. Having this parcel zoned the same as all adjoining parcels is the goal for future development. The owner of the parcel would also like the less restrictive zoning afforded by the BI zoning category which will open up future leasing/development opportunities.

**POST-APPROVAL REQUIREMENTS:**

There are no post-approval requirements for this proposed zoning change.

Any future development plans and building permits will be reviewed in accordance with all applicable Land Development Code and other applicable regulations.

**LIST OF APPENDICES:**

**Appendix A Comprehensive Plan Goals, Objectives and Policies**

Exhibit A-1 Comprehensive Plan - Transportation Mobility Element GOPs

**Appendix B Supplemental Documents**

Exhibit B-1 Aerial Photograph  
Exhibit B-2 Map: Existing Zoning  
Exhibit B-3 LDC Article IV, Sections 30-4.19. – 30-4.21.  
Exhibit B-4 LDC Article IV, Sec. 4.8. Development Compatibility  
Exhibit B-5 Map: Existing Transit Hubs & Transit-Supportive Areas  
Exhibit B-6 E-mail from County EPD re: Hazardous Waste Monitoring

**Appendix C Application**

Exhibit C-1 Application



**Appendix A Comprehensive Plan Goals, Objectives and Policies**

**Exhibit A-1 Comprehensive Plan - Transportation Mobility Element GOPs**

**GOAL 10**

IMPLEMENT A TRANSPORTATION MOBILITY PROGRAM THAT PROMOTES AND ENHANCES:

- A. URBAN REDEVELOPMENT;
- B. INFILL DEVELOPMENT;
- C. A VARIETY OF TRANSPORTATION CHOICES AND OPPORTUNITIES INCLUDING AUTOMOTIVE, PEDESTRIAN, BICYCLE AND TRANSIT;
- D. THE CITY'S ECONOMIC VIABILITY;
- E. DESIRABLE URBAN DESIGN AND FORM;
- F. A MIX OF RESIDENTIAL AND NON-RESIDENTIAL USES;
- G. STREETSCAPING/LANDSCAPING OF ROADWAYS WITHIN THE CITY; AND
- H. PEDESTRIAN AND BICYCLIST COMFORT, SAFETY AND CONVENIENCE.

**Policy 10.1.3** Zone A shall promote redevelopment and infill in the eastern portion of the City and the area near the University of Florida. Except as shown in Policy 10.1.4 and Policy 10.1.14, funding for multi-modal transportation in Zone A shall be provided to the maximum extent feasible by the City, Community Redevelopment Agency, federal or state governments, and other outside sources such as grant funds.

**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 10.2.5**

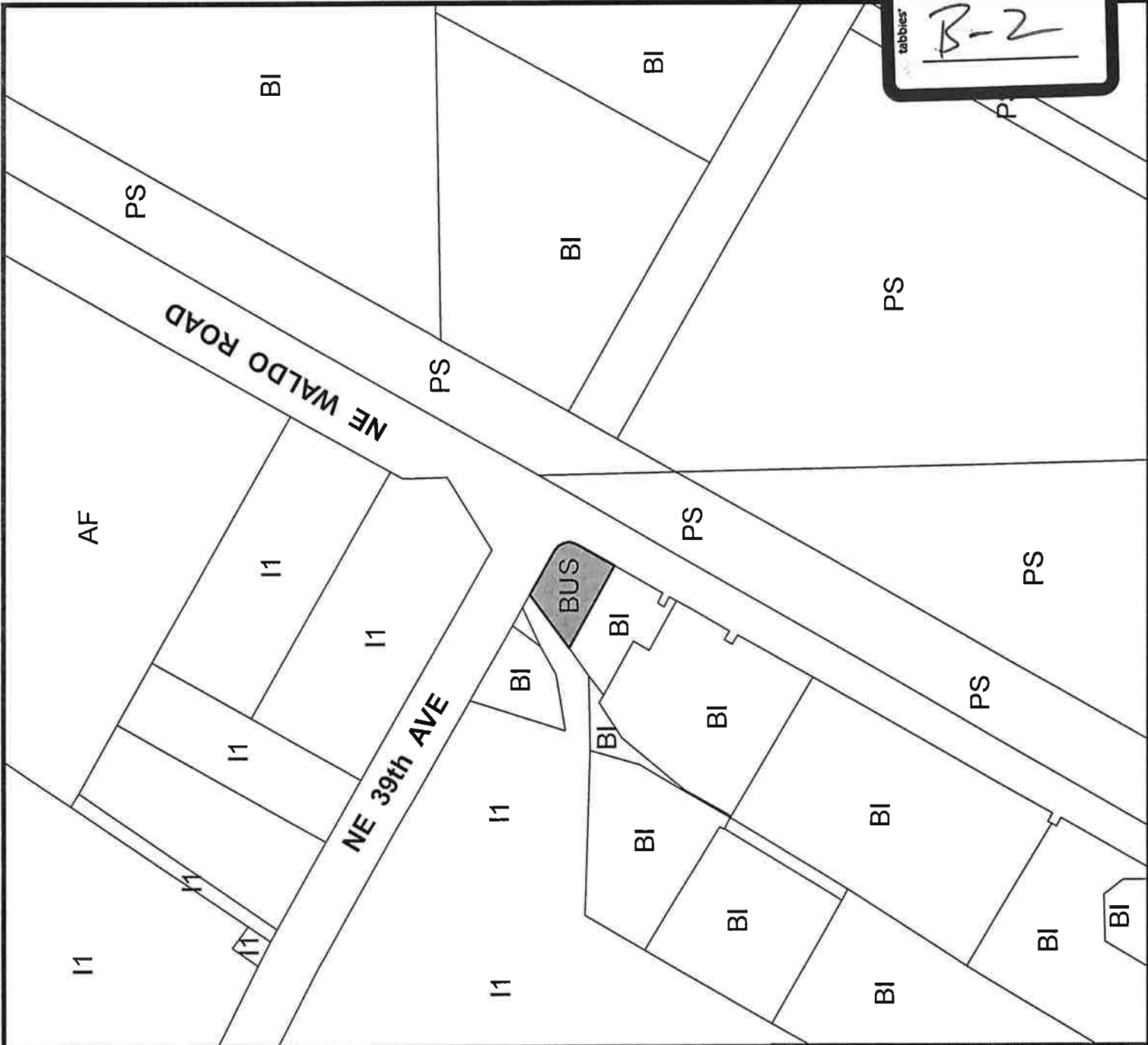
In order to encourage the redevelopment of properties within the TMPA, reduce or prevent blight, and encourage development in close proximity to transit, the following redevelopment trip credits shall apply to projects that are located within ¼ mile of the property lines of an existing transit hub or projects that are located in transit-supportive areas (as shown in the Existing Transit Hubs and Transit-Supportive Areas Map adopted in the Transportation Mobility Element) and are within ¼ mile of an existing transit route. The City shall reduce by 25% the net, new average daily trip generation for any redevelopment project or any project that expands or converts a building to a new use. The City shall reduce by 40% the net, new average daily trip generation for any mixed-use project that includes both a residential and non-residential component where residential dwelling units equal at least 10% of the floor area of commercial/office uses.

**Appendix B Supplemental Documents**

tabbles®  
**EXHIBIT**  
B-1



AERIAL PHOTOGRAPH		
Name	Petition Request	Petition Number
Thomas A. Daniel, agent for Julie Ann Miller, Trustee	Rezone from BUS (General Business) to BI (Business Industrial).	PB-17-07 ZON
 <p>No Scale</p>		



**Petition  
PB-17-07 ZON  
3520 NE Waldo Road  
Existing Zoning Districts**

 Area under petition consideration

**City of Gainesville  
Zoning Districts**

- AF Airport Facility
- BUS General Business
- BI Business Industrial
- I1 Limited Industrial
- PS Public Services and Operations

Thomas A. Daniel, agent for Julie Ann Miller, Trustee  
Rezoned from BUS (General Business district) to BI (Business Industrial)

--- Division line between two land use categories  
— City Limits



Exhibit B-3 Article IV, Sections 30-4.19. – 30-4.21.

**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	-	-
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

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
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
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	-	-

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
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
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	-



	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
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												

**LEGEND:**

P = Permitted by right; S = Special Use Permit; A = Accessory; Blank = Use not allowed.

1 = Only when accessory to and in the same building as health services or offices of physicians, dentists, and other health practitioners.

2 = Accessory to and in the same building as health services and comprising less than 25% of the gross floor area of the building.

3 = Prohibited where adjacent to single-family zoned property.

**Section 4.20.  
Dimensional Standards.**

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

1. **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.

**Section 4.21. Design Standards.**

**A. Parking.**

1. Motor vehicle parking is required in accordance with Article VII. All motor vehicle parking except a double-loaded row of parking shall be located in the rear and/or interior side of the building, unless such a location is prevented by topography, stormwater retention or significant trees, as determined by the appropriate reviewing board, City Manager or designee. In no case shall more than 50% of the parking be located between the front facade and the primary abutting street, unless modified by the appropriate reviewing board, City Manager or designee. However, driveway entrances and exits to parking areas shall be allowed on the front side of the building. There shall be no limit on the number of parking spaces in parking structures.
2. Bicycle parking spaces shall be installed as required by Article VII. Such parking may encroach into the public right-of-way or beyond the setback line provided that at least 5 feet of unobstructed sidewalk width and any required tree strip is retained. Bicycle parking requirements may be waived if public bicycle parking exists to serve the use.

**B. Sidewalks.**

1. All developments, unless provided otherwise in this chapter, shall provide sidewalks along all street frontage. All developments shall provide pedestrian connections from the public sidewalk to the principal building. Entrance sidewalks shall be a minimum of 5 feet of clear width.
2. *Minimum sidewalk widths.*

<b>Multi-Family Residential/Industrial</b>	<b>Commercial/Institutional/Office/Mixed-Use</b>
7 feet	8 feet

The minimum unobstructed width shall be 2 feet less than the required sidewalk width, as long as at least 5 feet of unobstructed width is retained. At transit stops, the minimum width is 8 feet of unobstructed width. In areas where a sidewalk pattern as to materials and width has been adopted, the appropriate reviewing board, City Manager or designee may allow the pattern to be continued by each new development. If the sidewalks installed are less than the minimums provided above, sufficient space shall be provided in order for these minimum sidewalk widths to be added in the future.

C. *Building orientation.* The main entrance of buildings or units shall be located on the first floor on the more primary street.

*Glazing.* Building walls facing the more primary street shall have non-reflective, transparent windows or glazed area covering at least 25% of their surface at pedestrian level (between 3 feet and 8 feet above grade) on the first floor. Operable transparent entrance doors may be included in the calculation of total facade surface area.

*Mechanical equipment.* All mechanical equipment shall be placed on the roof, in the rear or side of the building, and shall be screened with parapets or other types of visual screening.

**Exhibit B-4** LDC Article IV, Sec. 4.8. Development Compatibility

**Development Compatibility.**

*Setbacks.*

1. Whenever a zero foot setback is allowed in a zoning district, it may only be used if the abutting property is within a district that allows the same setback.
  2. The minimum required side and rear setback for nonresidential and multi-family buildings located on property abutting a single-family zoning district or the U1 district shall be the same as the setback required on the adjacent residential lot or as determined by the required buffer, whichever is greater.
- B. *Limitations on uses.* All industrial or commercial activity and uses, except storage of equipment and parking, shall be conducted within completely enclosed buildings when located within 300 feet of any property that is in a single-family zoning district or the U1 district.
- C. *Building height and massing.*

<b>Within 100' of the Following Districts:</b>	<b>Max Building Height</b>	
Single-Family Zoning	3 stories and 36' <ul style="list-style-type: none"> <li>• Measured to the roof peak with a hip, gable, mansard or similar roof where the 3<sup>rd</sup> floor is above the roof line, or</li> <li>• Measured to the top plate of the 3<sup>rd</sup> floor with a flat or similar roof.</li> </ul>	Building facades shall not exceed 60' unless a substantial volume break is provided, such as a volume recess with a minimum 10' depth.
U1		
Historic District (except University Heights-South)		
University Heights-South Historic District	4 stories and 60' <ul style="list-style-type: none"> <li>• Measured to the top plate of the 4<sup>th</sup> floor.</li> </ul>	
<b>Within the Following Districts:</b>	<b>Max Building Height</b>	
Pleasant Street Historic District	3 stories and 36'	
Power District	6 stories, but 3 stories when adjacent to residential zoning, with a step-back of 15' per additional building story up to max permitted.	

...

tables B-5

# TRANSPORTATION MOBILITY ELEMENT

## Existing Transit Hubs & Transit-Supportive Areas

### # Existing Hubs

1. NW 13th Street Mixed Use Area
2. Oaks Mall/North Florida Regional Medical Center
3. University of Florida/Shands/VA Hospital
4. Rosa Parks Downtown Transfer Station
5. Butler Plaza/Archer Road

### # Transit-Supportive Areas

6. Northwood Shopping Area/Walmart/Senior Recreation Center
7. Exchange Center
8. Winn Dixie/Big Lots/Greyhound Station
9. Millhopper/Thornbrook Village
10. Main Street Shopping Center
11. Waldo Road Walmart
12. Corporate Park
13. Westgate/Plaza Royale
14. Downtown MU-H area/Santa Fe College Downtown Campus
15. Five Points
16. Health Department/Tiger Bay/Mixed-Use Area
17. South Main Street & South 16th Avenue
18. Innovation Square
19. Urban Village
20. Magnolia Park
21. Shoppes of Williston Road
22. Airport/Plan East Gainesville Employment Center

### P&R Park & Ride Facility

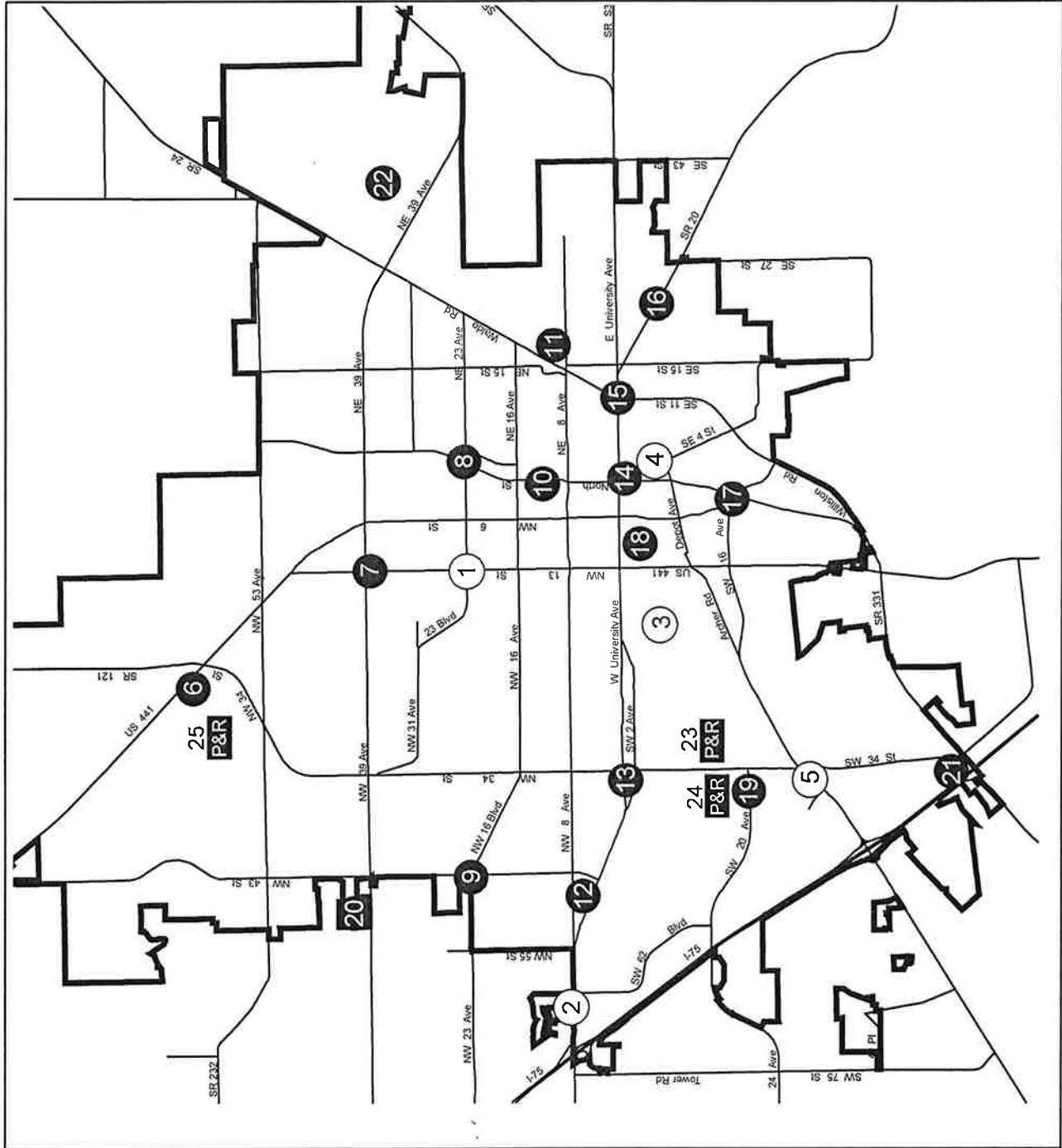
23. Ham Museum
24. UF Conference Center
25. Walmart Northwood



## City of Gainesville Gainesville, Florida

Prepared by Planning & Development Services November 2012

0 1 2 Miles



Mimms, Dean L.

From: Gus Olmos <Gus@alachuacounty.us>  
Sent: Monday, February 05, 2018 4:09 PM  
To: Mimms, Dean L.  
Cc: Brown, Mark M  
Subject: RE: Haz Waste Issues re: 3520 NW Waldo RD?

Dean – Here you go:

**NATURAL ATTENUATION MONITORING QUARTERLY REPORT (1ST EVENT- JUNE 6, 2017)**

**Circle K #2721107  
3520 NE Waldo Road  
Gainesville, Alachua County, Florida  
FDEP Facility ID # 018732807  
FDEP PO# B09973  
CB&I Project #155631  
July 17, 2017**

**1.2 Site History and Description**

The site formerly operated as a retail gasoline outlet and convenience store. The underground storage tanks (USTs) and dispensers were located to the southeast of the site building. The site possessed three USTs containing regular, plus, and supreme grades of gasoline. The two dispensers were located under a canopy, east of the USTs. The three tanks, each with a volume of 8,000 gallons, were of double wall fiberglass clad steel construction with over fill protection. These tanks numbers 3, 4, 5 were placed in service on January 1, 1989 and removed from the site on December 13 and 14, 2016. Tanks 1 and 2 also had a capacity of 8,000 gallons, and were removed from service on January 31, 1989. These tanks stored unleaded and leaded gasoline, respectively. Contamination from unleaded gasoline was indicated during a compliance inspection in on January 31, 1990. The release was related to one of the submersible pumps, and a discharge notification was submitted on February 19, 1989. According to available records no cleanup was required for this discharge, however; an eligibility ruling to this effect was not found in the files. A second discharge was reported on December 31, 1998, when hydrocarbon vapors were detected in soil samples collected in the area of the tank pit. A site inspection was conducted on January 21, 1999, and this discharge was deemed by FDEP to be eligible for cleanup under the Petroleum Liability and Restoration Program on June 23, 1999. During tank removal activities on December 13 and 14, 2016, TERRA-COM Environmental Consulting, Inc. (TERRA-COM) discovered contaminated soil and groundwater within the tank excavation area. TERRA-COM affiliated the contamination to the historical discharge dated December 30, 1998. The current site score is 10.

**5.0 Conclusions and Recommendations**

Analytical analysis indicated contaminant concentrations below the GCTL thresholds for groundwater samples collected from MW-1R during the June 6, 2017 sampling event. Analysis of groundwater collected on June 6, 2017 from monitoring well MW-1R indicated dissolved hydrocarbon concentrations below GCTLs for all analytes evaluated. CB&I

recommends continued NAM sampling on a quarterly basis to assess the contamination status. If analysis of groundwater does not indicate contamination greater than GCTLs at the end of four consecutive quarterly NAM sampling events, the associated discharge should be considered for No Further Action (NFA), and all monitoring wells located onsite be properly abandoned.

Let me know if you need anything else.

Gus

Gus Olmos, P.E. / Water Resources Manager  
Alachua County Environmental Protection Department  
[gus@alachuacounty.us](mailto:gus@alachuacounty.us)  
Office: (352) 264-6806 / Cell: (352) 275-1344

**From:** Gus Olmos  
**Sent:** Monday, February 05, 2018 3:10 PM  
**To:** 'Mimms, Dean L.'  
**Cc:** Brown, Mark M  
**Subject:** RE: Haz Waste Issues re: 3520 NW Waldo RD?

Hi Dean – Yes, that site is an active petroleum cleanup facility (Monitored Natural Attenuation, FDEP Facility ID # 018732807). Let me know if you need anything else.

Gus

Gus Olmos, P.E. / Water Resources Manager  
Alachua County Environmental Protection Department  
[gus@alachuacounty.us](mailto:gus@alachuacounty.us)  
Office: (352) 264-6806 / Cell: (352) 275-1344

**From:** Mimms, Dean L. [<mailto:mimmsdl@cityofgainesville.org>]  
**Sent:** Monday, February 05, 2018 11:28 AM  
**To:** Gus Olmos  
**Cc:** Brown, Mark M  
**Subject:** Haz Waste Issues re: 3520 NW Waldo RD?

Hi Gus,

Question: Are there any hazardous waste issues associated with this former gas station site that is applying for rezoning (from BUS to BI, which are similar districts)? 3520 NE Waldo Road, Parcel No. 00198-016-002. If so, if you could send me an e-mail noting them, I would appreciate it and can add it to my staff report for this simple rezoning request.

No development plan is proposed, just rezoning of approximately 0.37 acres. Please see attached App PB-17-07 ZON (it is not very long).



**Appendix C Application**



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

OFFICE USE ONLY	
Petition No. <u>PB-17-0000720</u>	Fee: \$ <u>3,391.25</u>
1 <sup>st</sup> Step Mtg Date: _____	EZ Fee: \$ <u>N/A</u>
Tax Map No. <u>3555</u>	Receipt No. <u>70724</u>
Account No. 001-660-6680-3401 <input checked="" type="checkbox"/>	
Account No. 001-660-6680-1124 (Enterprise Zone) [ ]	
Account No. 001-660-6680-1125 (Enterprise Zone Credit) [ ]	

Owner(s) of Record (please print)
Name: Julie Ann Miller, Trustee *
Address: 3486 SR 13
St. Johns, FL 32259
Phone: 904-287-5864 Fax: _____
(Additional owners may be listed at end of applic.)

Applicant(s)/Agent(s), if different:
Name: Thomas A. Daniel
Address: 623 N Main Street
Gainesville, FL 32601
Phone: 352-378-8438 Fax: 352-378-3097

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

REQUEST		
Check applicable request(s) below:		
Future Land Use Map [ ]	Zoning Map [ ]	Master Flood Control Map [ ]
Present designation:	Present designation: <u>BUS</u>	Other [ ] Specify:
Requested designation:	Requested designation: <u>BI</u>	

INFORMATION ON PROPERTY
1. Street address: <u>3520 NE Waldo Rd, Gainesville, FL 32609</u>
2. Map no(s): <u>3555</u>
3. Tax parcel no(s): <u>08198-016-002</u>
4. Size of property: <u>.37</u> 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:**  
 Testamentary Trust created under the Will of Hiram L. Godwin.

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

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

A. What are the existing surrounding land uses?

North General Industrial

South Business Industrial

East Public Service and Operations

West Business Industrial

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

NO

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

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 N/A

Noise and lighting

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

NO X YES \_\_\_\_\_ (If yes, please explain below)

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

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

NO X YES \_\_\_\_\_

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

NO X YES \_\_\_\_\_

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

Redevelopment x  
Activity Center \_\_\_\_\_  
Strip Commercial \_\_\_\_\_

Urban Infill x  
Urban Fringe \_\_\_\_\_  
Traditional Neighborhood \_\_\_\_\_

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

This change will result in uniform zoning (BI) for the entire corner and allow expansion of operations

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

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

Roadways property is presently serviced by major roads on two sides (Waldo Road and N.E. 39th Ave) zoning change will not impact

Recreation N/A

Water and Wastewater services exist at the site :  
zoning change will not impact

Solid Waste service exist at the site zoning change will not impact

Mass Transit service exist at the site zoning change will not impact

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

NO

YES  (please explain)

The property is located at the corner of Waldo Road and N.E. 39th Avenue and roads are marked for bikeways; streets have sidewalks

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:	Julie Ann Miller, Trustee
Address:	3486 SR 13 St. Johns, FL 32259
Phone:	904-287-5864
Fax:	
Signature:	<i>Julie Ann Miller</i>

Owner of Record	
Name:	Laurie J. Leslie, Trustee
Address:	1820 Peachtree St NW #912 Atlanta, GA 30309
Phone:	
Fax:	
Signature:	

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

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

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

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

*Julie Ann Miller*  
 Owner/Agent Signature  
 Julie Ann Miller, Trustee  
 11-20-2017  
 Date

STATE OF FLORIDA  
COUNTY OF DUVAL

Sworn to and subscribed before me this 20 day of NOV 2017, by (Name)  
Julie Ann Gordon Miller

*Leslie Bello*  
 Signature -- Notary Public

Personally Known \_\_\_ OR Produced Identification  (Type) Florida Drivers License



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:	Julie Ann Miller, Trustee
Address:	3486 SR 13 St. Johns, FL 32259
Phone:	904-287-5864
Fax:	
Signature:	

Owner of Record	
Name:	Laurie J. Leslie, Trustee
Address:	1820 Peachtree St NW #912 Atlanta, GA 30309
Phone:	404-734-9325
Fax:	
Signature:	<i>Laurie J. Leslie</i>

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

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

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

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

Owner/Agent Signature  
*Julie Ann Miller, Trustee*

Date

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

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

*[Signature]*  
Signature -- Notary Public

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

Laurie J. Leslie  
Owner/Agent Signature  
Laurie J. Leslie, Trustee

11/21/17  
Date

STATE OF GEORGIA  
COUNTY OF Fulton

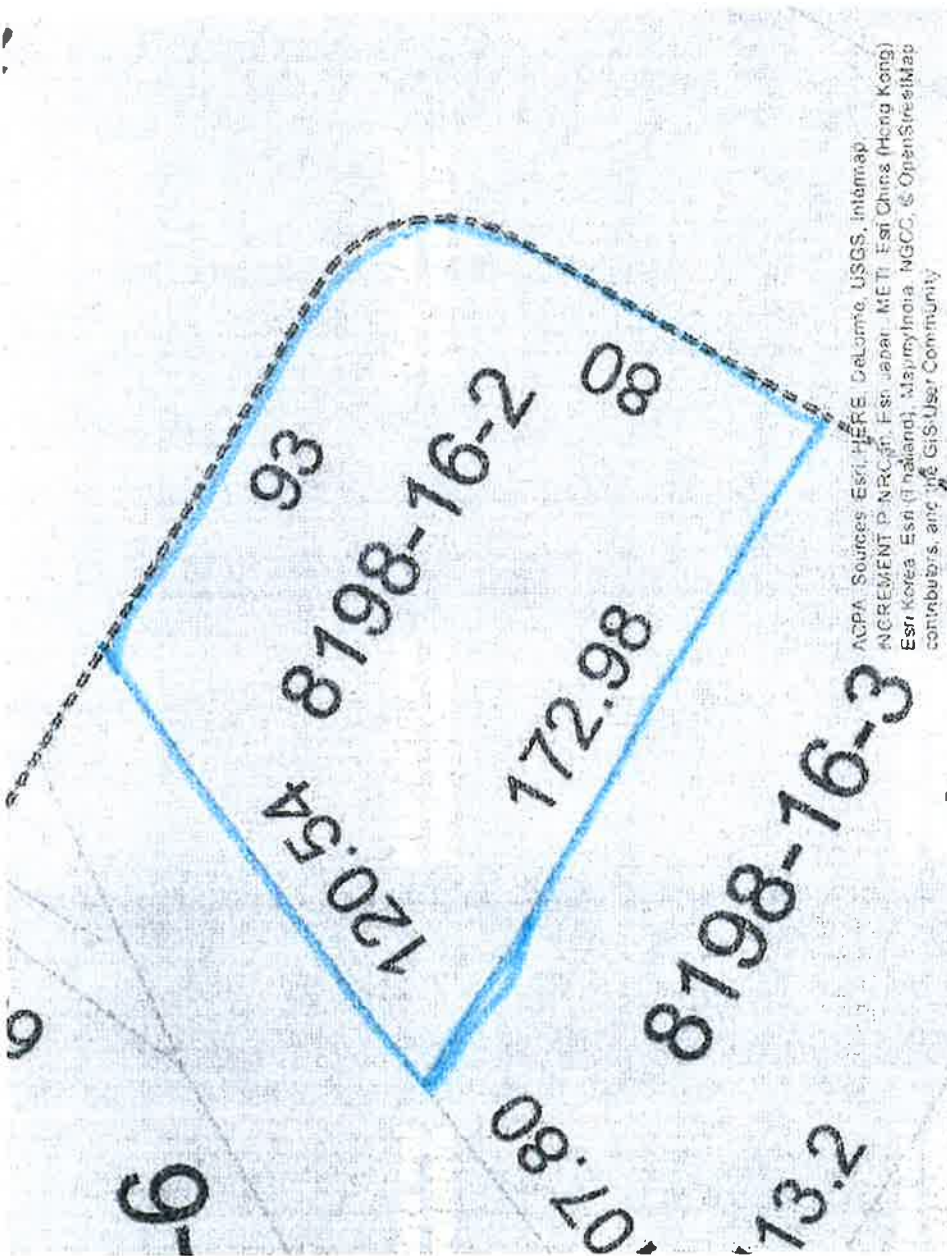
Sworn to and subscribed before me this 21 day of November, 2017, by Laurie J. Leslie.



Valerie L. Jones  
Signature-Notary Public

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





ADPA Sources: Esri, HERE, DeLorme, USGS, Intermap,  
INCORPORATED, NRC, Esri, Japan, METI, Esri China (Hong Kong),  
Esri Korea, Esri (Thailand), Mapbox, Swire, NRC, Esri, Swire,  
contributors, and the GIS User Community

This instrument prepared by:  
Robert V. Duss  
Attorney at Law  
1050 Riverside Avenue  
Jacksonville, FL, 32204

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2558914 2 PGS  
Feb 25, 2010 11:32 AM  
BOOK 3938 PAGE 2358  
J. K. IRBY  
Clerk Of Circuit Court  
Alachua County, Florida  
CLERK10 Receipt # 435353

**PERSONAL REPRESENTATIVE'S RELEASE  
AND CERTIFICATE OF DISTRIBUTION OF REAL  
PROPERTY**

**(single individual personal representative)**

The undersigned, DORIS W. GODWIN whose post office address is 8138 Green Glade Road, Jacksonville, Florida 32256, as personal representative of the estate of HIRAM L. GODWIN a/k/a H. L. GODWIN, deceased, hereby acknowledges that title to the real property located in Alachua County, Florida, owned by the decedent at the time of death, described as follows:



2558914

2 PGS

Begin at the most Northerly corner of Lot 14 of Seaboard Industrial Park as per a plat recorded in Plat Book "G", page 14 of the Public Records of Alachua County, Florida, being a point on the Southerly R/W of State Road No. S-232, (100' R/W), thence run S 58°58' E, along said R/W 93 feet to the P.C. of a curve having a central angle of 90°, a radius of 30 feet and being concave to a Westerly direction, thence run southeasterly along the arc of said R/W curve 47.124 feet to the Point of Tangency of said curve; then run S 31°02' W, along the Westerly R/W of State Road No. 24 a distance of 80 feet; thence run N 58°58' W, 172.28 feet; thence run N 55°10' E, 120.24 feet to the Point of Beginning. All being and lying in Lot 14 of Seaboard Industrial Park in Section 27, Township 9 South, Range 20 East, Alachua County, Florida.

LESS

That portion of property described in O.R. Book 1663, Page 1952, public records of Alachua County, Florida.

Property Appraiser's Parcel Identification Number 08198-016-002 (the "Property"), vested in DORIS W. GODWIN, LAURIE J. LESLIE and JULIE ANN MILLER, as Trustees under the Testamentary Trust created under the Will of Hiram L. Godwin, deceased, whose post office address is 8138 Green Glade Road, Jacksonville, Florida 32256 (the "Beneficiaries") by operation of law as of the date of the decedent's death pursuant to Florida law as will more fully appear from the proceedings in the Circuit Court for DUVAL County, Florida, Probate Division, in File No. 16-2009-CP-1779, subject to the rights of the personal representative under Sections 733.607 and 733.608 of the Florida Probate Code to:

1. take possession or control of the Property;
2. use, sell, encumber or otherwise exercise control over the Property:
  - a. for the payment of devises, family allowance, elective share, estate and inheritance taxes, claims, charges, and expenses of the administration and obligations of the decedent's estate;
  - b. to enforce contribution and equalize advancement;
  - c. for distribution.

Having determined that the Property is not needed for any of the foregoing purposes, except distribution, and that the Property should be released and distributed to the Beneficiaries, the personal representative hereby releases the Property from all rights and powers of the personal representative and acknowledges that the Property is vested in DORIS W. GODWIN, LAURIE J. LESLIE and JULIE ANN MILLER free of all rights of the personal representative.

IN WITNESS WHEREOF, the undersigned, as personal representative of the estate of the decedent, has executed this instrument on February 23, 2010.

Executed in the presence of:

Robert V. Duss  
ROBERT V. DUSS

Doris W. Godwin  
DORIS W. GODWIN

Barbara A. Scott  
BARBARA A. SCOTT

As personal representative of the estate of  
HIRAM L. GODWIN a/k/a H. L. GODWIN,  
deceased

**STATE OF FLORIDA**  
**COUNTY OF DUVAL**

The foregoing instrument was acknowledged before me on February 23, 2010, by DORIS W. GODWIN as personal representative of the estate of HIRAM L. GODWIN a/k/a H. L. GODWIN, deceased, who is personally known to me or who produced Florida driver license as identification.

Barbara A. Scott  
Notary Public State of Florida



INSTRUMENT # 2558914 2 PGS

9-20  
5

T. S. #232  
R/W Map Sheet #12

This instrument prepared and  
legal description approved  
Date: Jan. 20, 1987 By: R. C. Bishop  
City: Lake City, Florida 32056-1089  
State of Florida  
Department of Transportation

PARCEL NO. 105.1-R (1-20-87)  
SECTION 26005-2518  
STATE ROAD 222  
COUNTY Alachua

RECORDED  
OFFICIAL RECORDS  
MAY 23 AM 11 20

IND. W.D.

DEED

THIS INDENTURE made this 20<sup>th</sup> day of May, A.D.  
19 87, between H. L. Godwin and Doris W. Godwin, husband and wife,  
as parties of the first part, and the STATE OF FLORIDA, for the use  
and benefit of the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, as party  
of the second part.

WITNESSETH, That the said part ies of the first part, for and in  
consideration of the sum of One Dollar and other valuable considerations,  
paid, receipt of which is hereby acknowledged, do                      hereby  
grant, bargain, sell, and convey unto the party of the second part, its  
successors and assigns, the following described land, situate, lying and  
being in the County of Alachua, State of Florida, to-wit:

SECTION 26005-2518                      STATE ROAD NO. 222                      ALACHUA COUNTY

PARCEL NUMBER 105    FEE SIMPLE RIGHT OF WAY

A parcel of land in Lot 14, Seaboard Industrial Park as per plat recorded  
in Plat Book G, page 74, of the public records of Alachua County, Florida,  
being in Section 27, Township 9 South, Range 20 East, more particularly  
described as follows:

Commence on the East line of Section 27, Township 9 South, Range 20 East,  
at a point 1,225.78 feet Southerly from the Northwest corner thereof; thence  
North 60°29'14" West 122.78 feet; thence South 29°30'46" West 54.42 feet  
to the Point of Beginning; thence South 11°12'54" East 33.74 feet to a point  
on the Westerly right of way line of State Road No. 24, said point being  
on the beginning of a curve concave Southwesterly having a radius of 30.00  
feet; thence from a tangent bearing of North 29°28'57" East, run North-  
easterly, North, and Northwesterly along the arc of said curve through an  
angle of 89°58'11" a distance of 47.11 feet to a point on the Southerly  
right of way line of State Road No. 222; thence North 60°29'14" West along  
said Southerly right of way line a distance of 93.12 feet; thence South  
56°59'14" West 3.23 feet; thence South 59°37'07" East 102.61 feet to the  
Point of Beginning,

Containing 557 square feet, more or less.

TO HAVE AND TO HOLD THE SAME, together with all and singular the appurtenances thereto belonging or in anywise incident or appertaining forever; and the said part ies of the first part do        hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, said parties        of the first part ha ve hereunto set   their   hands        and seal   s   the date first above written.

Signed, sealed and delivered in the presence of:

[Signature]  
[Signature]  
[Signature]  
[Signature]

[Signature] (SEAL)  
H. L. GODWIN  
       (SEAL)  
[Signature] (SEAL)  
DORIS GODWIN  
       (SEAL)  
       (SEAL)

STATE OF FLORIDA  
COUNTY OF DUVAL

Before me personally appeared       H. L. GODWIN       and       DORIS GODWIN      , his wife, to me well known and known to me to be the individuals described in and who executed the foregoing instrument and acknowledged before me that they executed the same for the purposes therein expressed.

WITNESS my hand and official seal this   20<sup>th</sup>   day of   May  , A.D. 19   87  .

(Notarial Seal)

[Signature]  
Notary Public in and for the  
County and the State aforesaid.

My commission expires:

NOTARY PUBLIC STATE OF FLORIDA  
My Commission Expires Sept. 27, 1990




A neighborhood workshop "Public Notice" was published in the Gainesville Sun on October 19, 2017 for a meeting to be held at 7:00 pm on November 6, 2017 at 3520 N. E. Waldo Road, Gainesville, Florida. A copy of the publication notice is attached reflecting the publication date of October 19, 2017.

A mailing was sent On October 20, 2017 by first class U. S. Mail postage prepaid to all persons or entities on the mailing lists provided by the City of Gainesville. A copy of the mailing lists are attached. A copy of the notice and attachments to the notice are attached. The attachments are the Notice sent to interested parties, a copy of the published notice, and a copy of the zoning ordinance for Business Industrial.

The meeting was held on November 6, 2017 at 7:00 to 8:00 pm at 3520 N. E. Waldo Road, Gainesville, Florida. The undersigned was present and conducted the meeting. One adjacent owner, Rose Stangle, appeared and her comment was "approve". A copy of the sign in and comment is attached. No other persons appeared at the meeting. Presented at the meeting was a copy of the area map, a copy of the zoning ordinance

Executed this 4 day of December, 2017.



Thomas A. Daniel  
Agent for Owners  
623 N. Main Street  
Gainesville, FL 32601  
353-378-8438

THOMAS A DANIEL

6/16/2017 10:14 AM

Save  
Email

### **PUBLIC NOTICE**

A neighborhood workshop will be held to discuss a re-zoning to B1 (Business industrial district) on .37 acres located at 3520 NE Waldo Road, Gainesville, FL 32609. This is not a public hearing. The purpose of the meeting is to inform neighboring property owners of the nature of the proposal and to seek their comments.

The meeting will be held Monday, November 6, 2017 at 7pm at 3520 NE Waldo Road, Gainesville, FL

Contact Person: Thomas A. Daniel, agent for owners  
352-378-8438

# The Gainesville Sun

Gainesville, FL  
 TEL: (866) 470-7133 - FAX: (863) 802-7825  
 FED ID#: 47-2464860

1 BILLING PERIOD		2 ADVERTISER / CLIENT NAME	
09/25/17 - 10/29/17		THOMAS A DANIEL	
23 TOTAL AMOUNT DUE		3 TERMS OF PAYMENT	
-3.04		NET 15 DAYS	
21 CURRENT AMOUNT DUE	22 30 DAYS	60 DAYS	OVER 90 DAYS
-3.04	.00	.00	.00

## ADVERTISING INVOICE and STATEMENT

24 INVOICE NUMBER	4 PAGE #	5 BILLING DATE	6 BILLED ACCOUNT NUMBER	7 ADVERTISER / CLIENT NUMBER
31375554	1	10/29/17	756608	

8 8 - 5042

9 REMITTANCE ADDRESS

THOMAS A DANIEL  
 623 N MAIN ST  
 GAINESVILLE FL 32601-5328

THE GAINESVILLE SUN  
 PO BOX 915007  
 ORLANDO FL 32891-5007



0931375554000000000000

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

SEE REVERSE SIDE FOR CREDIT CARD PAYMENT OPTIONS.

10 DATE	11 NEWSPAPER REFERENCE	12/13/14 DESCRIPTION - OTHER COMMENTS/CHARGES	15 SAU SIZE 16 BILLED UNITS	17 TIMES RUN 18 RATE	19 GROSS AMOUNT	20 NET AMOUNT
09/24		BALANCE FORWARD				.00
10/05		GH040983				-152.00
10/20		GH040826				-152.00
10/05	GH040983	PUBLIC NOTICE	2x21	1	150.48	150.48
	LEGAL/RETAIL	GNET/MKLG,GNV/FULL	41	37.62		
10/19	GH040826	PUBLIC NOTICE	2x21	1	150.48	150.48
	LEGAL/RETAIL	GNET/MKLG,GNV/FULL	41	37.62		

### STATEMENT OF ACCOUNT

AGING OF PAST DUE ACCOUNTS



21 CURRENT NET AMOUNT DUE	22 30 DAYS	60 DAYS	OVER 90 DAYS	*UNAPPLIED AMOUNT	23 TOTAL AMOUNT DUE
-3.04	.00	.00	.00		-3.04

The Gainesville Sun

Questions on this Invoice call:  
 Tel: (866) 470-7133 Fax: (863) 802-7825



24 INVOICE NUMBER	25 BILLING PERIOD	6 BILLED ACCOUNT NUMBER	7 ADVERTISER / CLIENT NUMBER	2 ADVERTISER / CLIENT NAME
31375554	09/25/17 - 10/29/17	756608		THOMAS A DANIEL

11-2-17



To: Interested parties

## NOTICE OF NEIGHBORHOOD WORKSHOP

A neighborhood workshop will be held to discuss a re-zoning to BI (Business industrial district) on .37 acres located at 3520 NE Waldo Road, Gainesville, FL 32609. This is not a public hearing. The purpose of the meeting is to inform neighboring property owners of the nature of the proposal and to seek their comments.

Date: Monday November 6, 2017

Time: 7 p.m.

Place: 3520 N. E. Waldo Road, Gainesville, FL 32609

Contact: Thomas Daniel, agent for owners at 352-378-8438  
623 N. Main Street, Gainesville, FL 32601

Thomas Daniel, agent for owner will be holding a workshop to discuss the request to re-zone a .37 acre parcel to BI (Business industrial district). Some of the uses permitted in this district include corporate offices, day care centers, eating places, food trucks, sales offices and retail trade. Please see the complete list of permitted uses attached. The purpose of the workshop is to inform neighboring property owners about the nature of the proposal and to seek comments. We look forward to seeing you there.

Sec. 30-67.1. - Business industrial district (BI).

(a)

Purpose. The BI district is established for the purpose of providing sufficient space in appropriate locations physically suitable for the development of certain office, business and industrial uses in a combined setting. This district will facilitate the development of a business park that will cater to a variety of uses that support and complement each other and reduce external trips for goods and services. This district supports enterprises engaging in light manufacturing, processing or fabrication of products and machinery, research and development operations, business retail, medical uses and wholesale or storage distribution concerns. This district contains uses which generally are not objectionable because of noise, heavy truck traffic or fumes, or uses that can be adequately regulated for mitigation of nuisances by performance standards.

(b)

Objectives. The provisions of this district are intended to:

(i)

Provide a business/employment center that allows a variety of uses where employees have access to goods and services without having to leave the business park environment;

(2)

Accommodate enterprises with functions requiring access to transportation services by providing them with locations that are in close proximity to necessary transportation facilities such as major thoroughfares, railroads or air terminals for the reception and distribution of goods or services;

(3)

Encourage business park development in appropriate locations throughout the community where public facilities and services exist or are planned.

(4)

Allow a mix of uses that are compatible with airport operations in appropriate areas near the Gainesville Regional Airport;

(5)

Encourage such future development to occur on vacant land where the natural characteristics of such land are suitable for this type of development; and

(6)

Encourage the infill and/or redevelopment of existing areas that would benefit from the opportunity to combine business and industrial uses.

(c)

Permitted uses.

(1)

Uses by right.

SIC	Uses	Conditions
	Corporate offices	
	Day care centers	In accordance with article VI
	Eating places	
	Food trucks	In accordance with article VI
	Places of religious assembly	In accordance with article VI
	Professional schools	As defined in article II
	Sales offices	
	Rehabilitation centers	
	Exercise studio	
	Research and development in the physical, engineering and life sciences	Research and development in the physical, engineering and life sciences, defined as establishments primarily engaged in conducting research and experimental development in the physical, engineering, or life sciences, such as agriculture, electronics, environmental, biology, botany, biotechnology, computers, chemistry, food, fisheries, forest, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary and other allied subjects (NAICS 2002-541710
	Outdoor storage	In accordance with article VI
	Research, development and manufacturing of renewable energy including biofuels, solar and wind power products.	
	Facilities on premises for security personnel.	
	Ice manufacturing/vending machines	In accordance with article VI
GN 074	Veterinary services	Within fully enclosed structures and in accordance with article VI
IN 0752	Animal specialty services	
GN 076	Farm labor and management services	
GN 078	Landscape and horticultural services	
MG 15	Building construction	

MG 41	Local and suburban transit and interurban highway passenger transportation	
MG 42	Motor freight transportation and warehousing	
MG 43	United States Postal Service	
MG 45	Transportation by air	
MG 47	Transportation services	
MG 48	Communications	
IN 7011	Hotels and motels	
MG 72	Personal services	
MG 73	Business services	
MG 75	Automotive repair, services and parking	
MG 76	Miscellaneous repair services	
MG 78	Motion pictures	
MG 79	Amusement and recreation services	Excluding simulated gambling establishments
MG 80	Health services	
MG 81	Legal services	
MG 86	Membership organizations	
MG 87	Engineering, accounting, research, management and related services	
Division G	Retail trade	
Division H	Finance, insurance and real estate	
SIC-8999	Services, not elsewhere classified	Within enclosed buildings
Division F	Wholesale excluding the following: scrap and waste materials (IN-5093); construction and mining machinery and equipment (IN-5082); transportation equipment and supplies, except motor vehicles (IN-5088); and petroleum and petroleum products (GN-517).	
Division C	Construction, excluding heavy construction other than building construction contractors (MG-16).	
MG 20	Food and kindred products (excluding the following: wet corn milling (IN-2046), raw cane sugar (IN-2061), and beet sugar (IN-2063).	

MG 22	Textile mill products, excluding cotton finishing plants (IN-2261).	
MG 23	Apparel and other finished products made from fabrics and similar materials	
GN-243	Millwork, veneer, plywood and structural wood members	
GN 244	Wood containers	
MG 25	Furniture and fixtures	
GN 267	Converted paper and paperboard products, except containers and boxes, excluding coated and laminated paper packaging (IN-2671).	
GN 265	Paperboard containers and boxes	
MG 27	Printing, publishing and allied industries, excluding gravure (IN 2754)	
GN 283	Drugs excluding medicinals and botanicals (IN 2833).	
GN 284	Soap, detergents and cleaning preparations, perfumes, cosmetics and other toilet preparations	
MG 31	Leather and leather products	
GN 323	Glass products, made of purchased glass	
GN 328	Cut stone and stone products	
IN 3444	Sheet metal work	
MG 352	Farm and garden machinery and equipment	
MG 36	Electronic and other electrical equipment and components, except computer equipment	
MG 38	Measuring, analyzing and controlling instruments; photographic, medical and optical goods; watches and clocks	
MG 39	Miscellaneous manufacturing industries	
GN 833	Job training and vocational rehabilitation services	
Division J	Public administration	

(d)

Dimensional requirements. All principal and accessory structures shall be located and constructed in accordance with the following requirements:

(1)

Required yard setbacks:

a.

Front setback from an arterial street or collector street: 25 feet minimum, 60 feet maximum.

b.

Front setback from roads internal to the BI district: zero feet minimum, 20 feet maximum.

c.

Side, interior: 10 feet.

Except where the side yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: 50 feet.

d.

Side, street: 20 feet.

e.

Rear: 20 feet.

Except where the rear yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: 50 feet.

f.

Maximum building height:

When not located within an airport zone of influence: 5 stories

When located within an airport zone of influence: in accordance with the Airport Hazard Zoning Regulations

g.

Maximum Floor Area Ratio: 4.0.

h.

Maximum lot coverage: 80 percent

(2)

Within 300 feet of any property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan, all activity and uses, except storage of equipment and parking, shall be conducted within completely enclosed buildings.

(e)

Additional requirements.

(1)

General conditions. Master planned (phased) developments and subdivisions of 3½ acre or larger shall meet the following standards:

a.

Perimeter landscaping shall be provided averaging 25 feet in width, but not less than 15 feet in width at any given point. Such landscaped area shall be developed to attain opacity of 75 percent within three years. The design of such landscaped area may include berms, decorative masonry and shrubs; however, at a minimum shade trees from the Gainesville Tree List shall be planted approximately every 50 feet. At least 50 percent of the landscaped area must be devoted to living plant materials, and the stormwater management, drainage and parking uses shall not encroach upon the landscaped area. Heritage and Champion trees preserved on site may be used to meet this requirement with the approval of the appropriate reviewing board and if the intent of this provision is being met.

b.

The development shall be designed to provide safe and convenient access from public transit routes, sidewalks and bikeways to uses within the development. Sidewalks are required for both sides of internal streets (public or private) and external public streets abutting the development.

c.

Service areas and mechanical equipment shall be sited so as to minimize visibility from the perimeter of the development and shall be designed and situated so as to minimize impacts on adjacent properties.

d.

Access shall be designed, insofar as possible, to promote shared use of driveways between adjacent lots and to local streets.

e.

Stormwater management systems shall be designed to maximize an integrated design among the various lots or tracts within the development. The aesthetic treatment of retention/detention facilities through the use of contour, landscaping and the incorporation of water features shall be encouraged.

(2)

Standards for manufacturing uses. All permitted manufacturing uses (classified as MG-20 through MG-39 of the Standard Industrial Classification Manual) shall conform to the following additional standards:

a.

The manufacturing use shall be limited to the fabrication, manufacture, assembly or processing of materials which are, for the most part, already in processed form.

b.

All activity and uses except storage, loading and unloading operations, and parking shall be conducted within completely enclosed buildings.

c.

Night operations, including loading and unloading, are prohibited within 300 feet of the property line of any residential zoning district or area which is shown for residential use on the future land use map of the comprehensive plan, unless conducted within a completely enclosed building which has no openings other than stationary windows or required fire exits. Night operations are those conducted between the hours of 9:00 p.m. and 6:00 a.m. This prohibition shall not apply to security personnel or other security operations. The appropriate reviewing board may grant a waiver to this prohibition if the board finds that the noise attenuation and screening being provided is sufficient to mitigate the adverse impacts of the night operations on properties within 300 feet.

(4)

Airport operations. Developments and uses located in the airport zones of influence must comply with and may be restricted or prohibited by the City of Gainesville Airport Hazard Zoning Regulations.

(Ord. No. 080435, § 3, 3-19-09; Ord. No. 110289, § 2, 11-3-11; Ord. No. 140130, § 10, 9-4-14; Ord. No. 140190, § 14, 4-16-15)



DEC - 4 2017

Operator: Michael Hoge

Receipt no: 70724

Item	Description	Account No	Payment	Payment Reference	Paid
<b>PB-17-00007</b> 03520 WALDO RD Miller Rezoning (3520 NE Waldo Rd)	Zoning Map Change	001-660-6680-3401	CHECK	24181	\$3,391.25
<b>Total:</b>					<b>\$3,391.25</b>

Transaction Date: 12/04/2017

Time: 14:53:03 EST



Neighborhood Workshop 3520 NE WALDO ROAD

10/23/17

11/6/17

Chelys Rae Stange

ZONING CHANGE  
BUS to BI

Approve