 <p>CITY OF <b>GAINESVILLE</b> every path starts with passion FLORIDA</p>	<b>PLANNING &amp; DEVELOPMENT SERVICES DEPARTMENT</b> PO BOX 490, STATION 11 GAINESVILLE, FL 32627-0490
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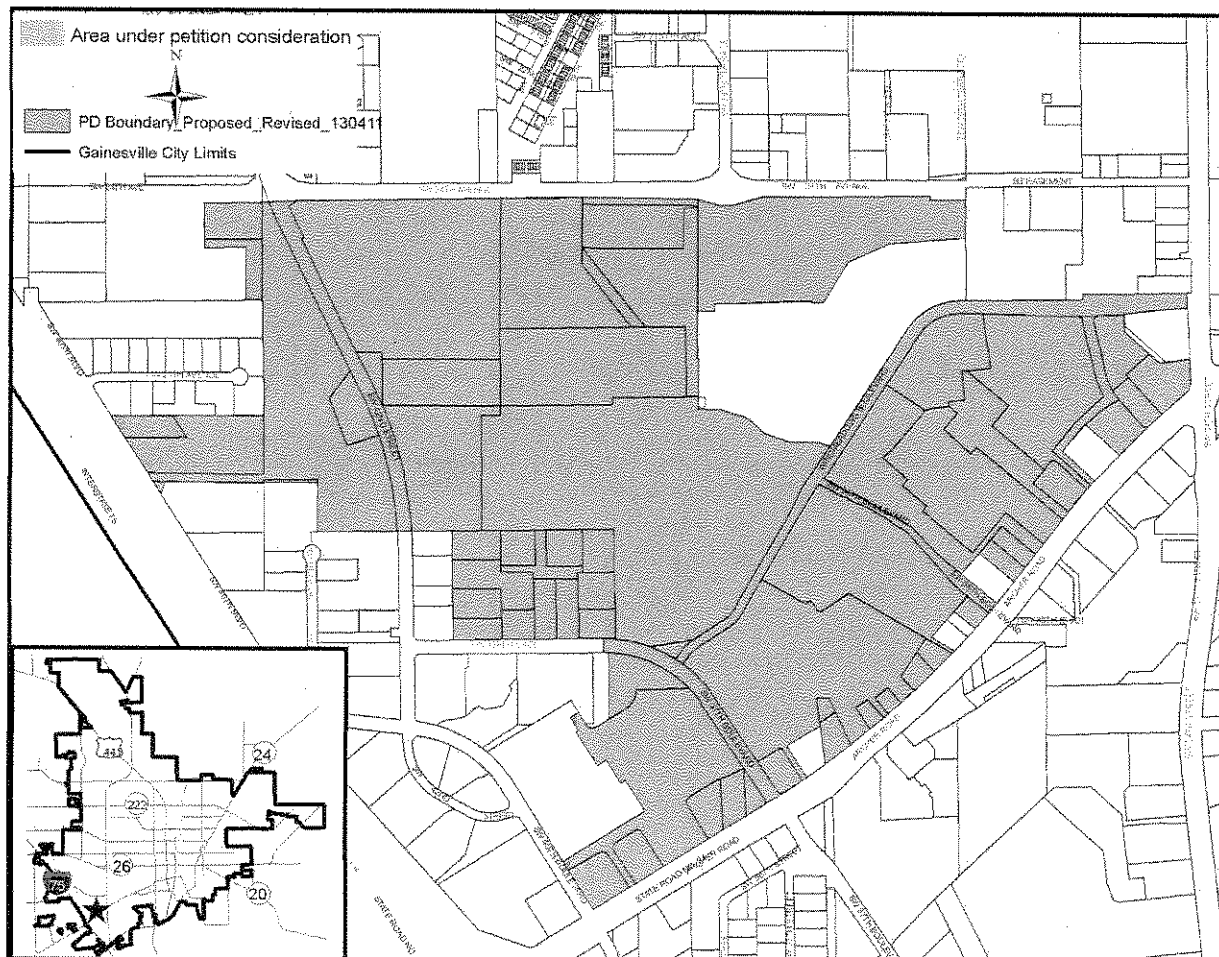
**TO:** City Plan Board **Item Number: 1**

**FROM:** Planning & Development Services **DATE: February 19, 2013**  
 Department Staff **Revised: May 8, 2013**

**SUBJECT:** Petition PB-12-148 CPA. Causseaux, Hewett and Walpole, Inc., agent for S. Clark Butler Properties Corp., et al., and Robert Doan and Roy Lambert, Jr., agents for Regency Windmeadows Limited Partnership. Amend the City of Gainesville Comprehensive Plan Future Land Use Element Policy 4.3.6 for the Butler Plaza Planned Use District. Related to PB-12-149 LUC & PB-12-150 PDV.

### Recommendation

Staff recommends approval of Petition PB-12-148 CPA with the policy changes as recommend by staff.



## Description

This petition proposes to change the text of Future Land Use Element (FLUE) Policy 4.3.6 for the Butler Plaza Planned Use District (PUD). In addition to the changes in policy text, the petition includes amendments to two Butler Plaza maps in the Future Land Use Map Series. Those maps are: Future Land Use (referring to the underlying land use for the Butler Plaza PUD) and PUD Future Land Use Overlay (referring to the new PUD overlay on the Butler Plaza property). The maps are being changed to add 6 small parcels (total acreage approximately 3.2 acres) to the overall Butler Plaza PUD (see related Petition PB-12-149LUC). In addition to adding the 6 parcels, the map names are being revised for clarity. The new map titles are: "Butler Development Underlying Land Use" (showing the underlying land use in the event the PUD is not implemented) and "Butler Development PUD Future Land Use Overlay" (showing the overlay of Planned Use District on all the parcels, including the 6 added parcels).

The proposed changes to Policy 4.3.6 do not include any changes to the intensity or allowable uses within the PUD. There are: no increases in the allowable square footages of commercial/retail/office space, no increases in the number of hotel/motel rooms, and no increases in the total number of residential units. The Butler development program also remains limited by the maximum trip generation (37,591 average daily trips including existing development) already established in Policy 4.3.6. As a result of the maximum trip generation limitation, it should be noted that the development will not reach the sum of the maximum levels of intensity plus the 1,000 residential units because the associated average daily trips would exceed the established limit.

The petition is related to PB-12-149LUC, which is a small-scale amendment to amend the Future Land Use category on the 6 small parcels totaling about 3.2 acres to PUD (for inclusion within the Butler Development PUD). No additional intensity or density has been requested in association with these 6 parcels. The applicant has indicated that these parcels will promote a more unified development for the overall Butler Development PUD, provide for additional development flexibility to create an interconnected roadway system in the area, provide additional area for stormwater and open space, and increase redevelopment potential of the parcels. The addition of these parcels to the Butler Development PUD is consistent with and supportive of the City's redevelopment goals as shown in Goal 2 and Objective 2.1 of the Future Land Use Element. The Staff Report for related Petition PB-12-149LUC includes information about the underlying land use categories for the 6 parcels.

In addition, this petition is related to Petition PB-12-150PDV, which proposes a new Planned Development (PD) ordinance for the Butler Development.

The location of the Butler Development PUD regulated by Policy 4.3.6 is shown on page 1. It is generally located north of Archer Road, west of SW 34<sup>th</sup> Street, east of I-75, and south of SW 24<sup>th</sup> Avenue. It consists of approximately 267 acres.

A summary of the proposed changes is included below. Exhibit A-1 shows staff's proposed amendments to FLUE Policy 4.3.6 in response to changes proposed by the applicant. Exhibit A-2 contains the Applicant's Justification Report and proposed amendments.

Appendix B contains an aerial map showing the location of property regulated by the PUD, the two maps to be deleted and the two replacement maps that will include the added 6 parcels. Exhibit B-1 is the aerial map. Exhibit B-2 is the existing underlying land use map to be deleted. Exhibit B-3 shows the currently adopted overall PUD land use boundary. This map is to be deleted. Exhibit B-4 illustrates the proposed new underlying land use map. Exhibit B-5 illustrates the proposed new PUD boundary map and delineates the four proposed subareas. Appendix C is the Petition Application for the proposed changes.

## **Background**

The Butler Plaza PUD was adopted on August 5, 2010 by Ordinance 090537. That ordinance changed the future land use category from various Alachua County land use categories to the underlying City of Gainesville land use categories of Commercial, Office, Mixed Use Medium, and Residential Medium Density with the Planned Use District overlay and created FLUE Policy 4.3.6 in the City's Comprehensive Plan. Policy 4.3.6 set requirements for how the property would be developed and required that a Planned Development ordinance be adopted to implement those requirements. At that time, the PUD consisted of approximately 264 acres.

Subsequently, a Planned Development (PD) ordinance was adopted (Ordinance 090538) on January 5, 2012 that set conditions for the Butler Plaza development.

Planning and Development Services staff is in the process of amending the Future Land Use Element for the Evaluation and Appraisal process. Included within those changes are proposed amendments to Butler PUD Policy 4.3.6 to account for the City rescinding transportation concurrency and creating a new Transportation Mobility Program in the Transportation Mobility Element. The staff changes were approved by the City Commission at a petition public hearing on February 7, 2013 (Legistar No. 120639; Petition PB-12-112CPA). It should be noted that the staff and applicant petitions are being reviewed and processed separately and, for the most part, do not duplicate any policy language. At the time of final ordinance adoption, the two proposed amendments will be rectified to ensure that all policy language is consistent.

## **Summary of Proposed Changes to Policy 4.3.6**

The text changes proposed by the applicant are summarized below:

- The name of the development has been changed from Butler Plaza to Butler Development.
- The number of subareas has increased from 3 to 4. This results in boundary changes for the subareas that are shown in Exhibit B-4.
- Specific requirements for subareas such as square footage maximums have been eliminated and the maximums would apply to totals across subareas.
- Relocates the "Town Center" from old Subarea 3 (that was north of Windmeadows Boulevard) to new Subarea 2A that is located along Archer Road, west of SW 34<sup>th</sup> Street and east of Butler Boulevard.

- Maximum building height is set at 8 stories. The currently adopted PUD sets height limits only within Subarea 3 (the Town Center subarea). In the old Town Center subarea there was a required minimum building height of two stories or one story 24 feet in height based on the location of buildings on certain streets.
- The requirement that the PD Ordinance address building materials and colors has been deleted.
- A new street type referred to as “maneuvering lanes” is introduced and defined under Subarea 2B. However, Planning staff notes that these “maneuvering lanes” would be allowable in all subareas. The definition of “maneuvering lanes” should be moved to the policies covering all subareas.
- Average perimeter block size of 1,600 feet was deleted from policies. It is replaced by varying perimeter block sizes in the subareas up to an average of 3,200 feet in Subarea 1A.
- New policy language about gasoline service stations has been added.
- New policy language has been added that states development and redevelopment within Subarea 2A must be consistent with Town Center development standards after completion of 550,000 square feet of development within Subareas 1A and 1B.
- New policy language requiring that the PD zoning ordinance establish standards for drive-through facilities. The adopted PUD contained a restriction on auto-oriented uses in the Town Center subarea.
- New policy language about Subarea 1B that requires design standards compatible with the Urban Village to the north and sets a maximum block perimeter length of 2,000 feet.
- Changes the general provisions for the subareas concerning when the “low impact development” LID techniques must be implemented.
- Changes the open space requirement from 20% to 10% in all subareas.
- Adds new policy language concerning the vacating of certain streets and the conveyance of new ROW to the City.
- Deletes the requirement that the first floor of a stand-alone parking structure contain office or retail uses for at 50% of the first floor façade or have liner buildings that shield.
- Changes the timing requirement for performing the Interchange Modification Report (IMR).
- Changes the timing requirement associated with construction of a southbound left turn lane at the Archer Road/I-75 interchange.
- Removes the specific requirements about dedication of right-of-way for SW 30<sup>th</sup> Avenue and requires that it be included in the PD ordinance.
- Deletes the requirement that Alachua County be allowed to use the stormwater areas within old Subarea 2 for construction staging associated with the construction of the SW 30<sup>th</sup> Avenue bridge over I-75.


- Adds new policy language requiring that service bays for auto-oriented uses be located to the side and/or rear of buildings.

Planning and Development Services Department staff concurs with many of the changes proposed by the applicant. However, there are several cases where Planning staff finds the proposed new policies either lacking sufficient specificity or eliminating important substantive requirements. As a result, staff has produced alternative policy language in Exhibit A-1 that is recommended for approval. As indicated previously, Exhibit A-2 contains the amendments to the policy proposed by the applicant.

Planning recommends approval of the policy changes as shown in Exhibit A-1 to ensure that the amendments to the Butler Development PUD maintain the intent and substance as originally crafted for this PUD while providing the flexibility that the applicant is seeking to develop and redevelop the four identified subareas.

For clarity and ease of understanding, Planning staff is also recommending that the proposed new subareas be designated 1, 2, 3, and 4. The applicant has agreed to this, and the associated maps, documents and references will be updated prior to public hearing before the City Commission to reflect this change.

Respectfully submitted,

  
Onelia Lazzari  
Principal Planner

## List of Appendices

- Appendix A** Proposed amendments to FLUE Policy 4.3.6
- Exhibit A-1** Staff proposed amendments to FLUE Policy 4.3.6
  - Exhibit A-2** Causseaux, Hewett & Walpole Justification Report (pp.1-2) and proposed amendments to FLUE Policy 4.3.6 (pp. 3-14)
- Appendix B** Maps
- Exhibit B-1** Aerial Map
  - Exhibit B-2** Adopted Future Land Use Map (to be deleted)
  - Exhibit B-3** Adopted PUD Future Land Use Overlay (to be deleted)
  - Exhibit B-4** Butler Development Underlying Land Use
  - Exhibit B-5** Butler Development PUD Future Land Use Overlay
- Appendix C** Exhibit C-1: Petition Application

## Appendix A

### Exhibit A-1 Staff Proposed Amendments to FLUE Policy 4.3.6

4.3.6 The property governed by this policy shall be known as the Butler Development Planned Use District ~~“Butler Plaza.”~~ “Butler Development.” ~~Plaza~~ Butler Development shall be divided into four (4) ~~three (3)~~ subareas as depicted on the map labeled “Butler Development PUD Future Land Use Overlay” attached hereto in the Future Land Use Map Series as ~~Exhibit “B”~~ and made a part hereof as if set forth in full. Comprehensive Plan policies of general applicability shall apply to the subject property. In the event of express conflict or inconsistency between the general Comprehensive Plan policies and specific policies set forth below, the specific policies shall govern. Butler Development Plaza shall be governed by the following specific policies:

- a. Subareas 1, 2, and 3, and 4 shall be designated PUD (Planned Use District) on the Future Land Use Map.
- b. The maximum levels of intensity and allowable uses are established ~~within each~~ subarea below:

<u>Commercial uses:</u>	<u>2,500,408 square feet</u>
<u>Office uses:</u>	<u>250,000 square feet</u>
<u>Hotel / Motel uses:</u>	<u>500 rooms</u>
<u>Multi-family Residential uses:</u>	<u>1,000 units</u>

~~Subarea 1: Commercial uses: 1,000,408 square feet~~

~~Subarea 2: Commercial uses: 600,000 square feet  
Office uses: 50,000 square feet  
Hotel/motel uses: 100 rooms~~

~~Subarea 3: Commercial uses: 900,000 square feet  
Office uses: 200,000 square feet  
Hotel/motel rooms: 400 rooms~~

- c. All subareas:
  1. A maximum of 1,000 multi-family residential units shall be allowed in Butler Development Plaza. The units may be allocated to any of the four (4) ~~three~~ subareas. Multi-family residential uses shall be permitted in any combination of vertical or horizontal mix or as a standalone use. Twenty percent of the multi-family residential units constructed, whether rental or owner occupied, shall be “eligible”, “affordable housing” units for “very low-income”, “low-income,” or “moderate income” “persons or households” as those terms are defined in the City’s Local Housing Assistance Program (LHAP) at the time of construction. The affordability

of such units shall be maintained for a period of 10 years, shall run with the land and shall be enforceable by the City through recorded covenants or restrictions.

2. ~~Among the subareas that allow commercial uses or office uses, the owner may transfer up to 20% of the maximum allowable intensity between the same uses. By way of example, the owner may transfer 120,000 square feet of commercial uses from subarea 2 to subarea 1. However, the overall maximum intensity for the combined sub-areas shall not be increased, and specific uses that are prohibited in certain subareas as provided below, are not permitted by a transfer of allowable intensity.~~
  23. ~~The maximum cumulative development program for Butler Development Plaza (including existing development, redevelopment and development within all subareas) is also limited by the maximum trip generation which is not to exceed 37,591 average daily trips for all subareas. There are 12,224 average daily trips associated with the existing development in subarea 1 as documented in the traffic study; the owner may transfer up to 20% of those trips to the same use in another subarea. The planned development zoning ordinance for Butler Plaza Development (the "PD Zoning Ordinance") shall include a land use equivalency matrix that shows use substitutions based on trip generation rates using ITE Trip Generation 8th Edition.~~
  3. Maximum building height shall be eight (8) stories.
  4. The actual densities, specific uses and phases of development program shall be specified in the PD Zoning Ordinance.
  5. The PD Zoning Ordinance that implements the Butler Development PUD shall be consistent with the City's transportation mobility policies as adopted in the Comprehensive Plan.
  6. Maneuvering lanes shall be defined as vehicle use areas that connect off-street parking areas and provide sidewalks and landscaping on at least one side. Vehicular access from maneuvering lanes to parking areas shall be limited on at least one side to enhance pedestrian comfort and safety. Maneuvering lanes shall be allowed in all subareas.
- d. ~~Subarea 1: Subarea 1 includes approximately 108 acres and may include the full range of commercial uses allowed in the City's Commercial land use category and may include Large Scale Retail. For purposes of this policy, Large Scale Retail is defined as a single retail use with a ground floor footprint exceeding 100,000 square feet. Except as specified in the PD Zoning Ordinance, this subarea shall be governed by the design standards in the Special Area Plan for Central Corridors in~~



~~the City's Land Development Code. This subarea may include drive-throughs consistent with the City's Concurrency Management Element and TCEA Zone M requirements, or any successor regulations in effect at the time of development plan approval. Special event automotive sales may be allowed in limited locations as specified in the PD Zoning Ordinance.~~

~~Residential uses shall be permitted in any combination of vertical or horizontal mix or as a standalone use. The following conditions shall apply to Subarea 1:~~

- ~~7.~~ The PD Zoning Ordinance shall define "redevelopment" and specify standards for redevelopment. The redevelopment standards shall include specific measures to transform this subarea so that it provides better transit, bicycle, and pedestrian access. The redevelopment standards The PD Zoning Ordinance shall address requirements for building orientation, block perimeter length, multi-modal transportation (consistent with the City's Concurrency Management Element and TCEA Zone M policies or any successor regulations in effect at the time of development plan approval), open spaces, parking standards, building heights, build-to lines and/or setback buffers, building articulation, building materials and colors, mechanical equipment, trash and loading areas, landscaping and overall access through the subarea development.
8. Redevelopment shall be consistent with the Comprehensive Plan policies that encourage the conversion of conventional shopping centers into more traditional, walkable centers.
9. The PD Zoning Ordinance shall establish criteria for drive-through facilities.
10. The PD Zoning Ordinance shall establish criteria for the design of gas stations fronting public or private streets that is consistent with policies in the Comprehensive Plan.
11. The PD Zoning Ordinance shall establish criteria for the design of structured parking that fronts on public streets.
12. Service bays for automobile-oriented uses shall be located to the side and/or rear of buildings within the PUD.
13. Loading docks and outdoor uses shall be buffered from adjacent uses outside of the Butler Development in accordance with the PD Zoning Ordinance provisions.
14. Development shall include sidewalks, pathways, crosswalks and pedestrian nodes that shall be integrated within the overall Butler Development to provide for a defined, interconnected system.

15. Bicycle lanes and/or routes shall be provided from bus stops and adjacent areas (including areas outside of Butler Development) to the buildings within all subareas.

d.e. ~~Subarea 1A2: Subarea 2 includes approximately 49 acres and may include the full range of commercial uses allowed in the City's Commercial Land Use category and may include Large Scale Retail uses (as defined in Policy 4.3.6.d.). This subarea may include drive-throughs consistent with the City's Concurrence Management Element and TCEA Zone M requirements, or any successor regulation in effect at the time of development plan approval. Monopole and/or camouflaged cellular towers may also be allowed, subject to the land development regulations in effect at the time of development plan approval. Automotive sales, including special event sales, are prohibited in this subarea. Residential uses shall be permitted in any combination of vertical or horizontal mix or as a stand-alone use. The following conditions shall apply to Subarea 1A2:~~

- ~~1. Loading docks and outdoor uses shall be buffered from adjacent uses outside of Butler Plaza in accordance with the landscape buffer requirements of the City's Land Development Code.~~
- 1.2. Large Scale Retail uses (single-use, single-story retail over 100,000 square feet) in this subarea may have parking facilities located outside the front door of these retail uses. Developments located on out parcels shall be designed with parking to the rear or sides of buildings. The PD Zoning Ordinance shall establish requirements for the placement of surface parking in relation to buildings for all other uses.
- 2.3. The PD Zoning Ordinance shall specify standards for building orientation, build-to lines, building articulation, glazing, parking, garden walls, landscaping, pedestrian and transit facilities, a gridded, interconnected street network and limitations on the maximum size of single-use, single-story buildings.
- ~~4. Development shall include sidewalks, pathways, crosswalks and pedestrian nodes that shall be integrated within the overall Butler Plaza development to provide for a defined, interconnected system.~~
- ~~5. Bicycle lanes and/or routes shall be provided from bus stops and adjacent areas (including areas outside of Butler Plaza) to the buildings within this subarea.~~
- ~~6. This subarea shall develop consistent with the standards and guidelines for subarea 3, including a gridded, interconnected street network lined with street-facing buildings that help to frame the street. This shall not apply to the development of Large Scale Retail (as defined in Policy 4.3.6.d).~~

37. Development in this subarea shall establish a connected grid of public streets, private streets, and maneuvering lanes ~~private access streets~~ creating an average block size within the subarea of less than or equal to 3,200 ~~1600~~-feet in perimeter. Property boundaries adjacent to the PUD may be used to establish one or more sides of a block.

e. Subarea 1B: The following conditions shall apply to Subarea 1B:

1. The PD Zoning Ordinance shall provide design standards that establish a development pattern that is compatible with and transitions appropriately to the nearby Urban Village. These standards shall include: building orientation, build-to lines, building articulation, glazing, parking, garden walls, landscaping, pedestrian, transit facilities, a gridded, interconnected street network and limitations on the maximum size of single-use, single-story buildings.
2. This area shall contain a connected grid of public streets, private streets, and maneuvering lanes. In no event shall the block perimeter length exceed 2,000 feet for a single block. These block size requirements shall not apply to shared stormwater facilities or park (active or passive recreation/open space) areas.
3. Off-street parking in this subarea shall be located at the side or rear of buildings and away from pedestrian areas.

f. ~~Subarea 3~~ 2A: ~~Subarea 3 includes approximately 110 acres and may include the full range of office uses allowed in the City's Office Land Use category, general retail, eating places, hotels, theaters, sporting goods stores, residential and civic spaces. Large Scale Retail uses (as defined in Policy 4.3.6.d.) are prohibited. Gas stations, automotive sales (including special event sales), automotive repair, and car washes are prohibited. Design standards for drive-through uses shall be specified in the PD Zoning Ordinance. Residential uses shall be permitted above non-residential uses or as stand-alone uses. The following conditions shall apply to subarea 3~~ 2A:

1. All new development and redevelopment of existing buildings within Subarea 2A shall meet the Town Center design standards established in the PD Ordinance. In order to ensure redevelopment of Subarea 2A into a Town Center, the PD Ordinance shall establish a threshold that limits new development square footage in Subareas 1A and 1B until a minimum amount of new square footage consistent with the Town Center design standards established in the PD is constructed in Subarea 2A.
2. Development within this subarea shall include the following urban design characteristics and these shall be implemented in the PD Ordinance:

- ~~(I)~~ Building facades pulled up close to the street, facing the street, and generally aligned. ~~Building facades aligned to form squares or plazas.~~
- ~~(II)~~ ~~Relatively high density mixed use, compactly designed to accommodate walking.~~ Compact design to encourage and accommodate walking.
- ~~One to six stories shall be permitted, with a maximum height of 75 feet. At least eighty percent (80%) of the building height adjacent to the primary private street within the Towne Centre (as such area is designated in the PD Zoning Ordinance) and for all buildings along 24th Avenue shall be at least two stories or a minimum of one story of 24 feet in height measured to the top of the parapet or median roof line, to create the appropriate scale and urban form.~~
- ~~(III)~~ First floors of buildings that incorporate levels of articulation and glazing in order to promote pedestrian interest.
- ~~(IV)~~ A connected network of wide sidewalks that promotes safety, comfort, and convenience for pedestrians by linking streets, parking areas, buildings, and adjacent development.
- ~~(V)~~ Shade trees along all public and private streets.
- ~~(VI)~~ Terminated vistas.
- ~~(VII)~~ On-street parking where feasible and appropriate to building area and street type.
- ~~(VIII)~~ Off-street parking located at the side or rear of buildings and away from pedestrian areas.
- ~~Restrictions on auto-oriented uses and uses that generate significant noise, odor, or dust.~~
- ~~(IX)~~ Design and architectural requirements for drive-through facilities that are consistent with Town Center design standards, ensure pedestrian safety and comfort, and establish a maximum number of drive-through lanes for any drive-through facility in the Town Center.
- ~~(X)~~ A connected grid of public streets, private streets, and maneuvering lanes ~~private access streets creating an average block size of less than or equal to 1,600 feet in perimeter.~~ In no event

shall the block perimeter length exceed 2,000 feet for a single block. These block size requirements shall not apply to shared stormwater facilities or park (active or passive recreation/open space) areas.

32. Urban design standards that ensure compatibility among the various allowed uses shall be specified in the PD Zoning Ordinance. Additional standards may be required to address noise and lighting to further assure compatibility. The PD Zoning Ordinance shall, through design and performance standards, provide a quality pedestrian experience by regulating building type, scale, overall building appearance and orientation, placement and function of parking, loading, waste disposal, access points, outdoor uses and mechanical equipment, block size, signage and landscaping.

g. The following conditions shall apply to Subarea 2B:

- ~~2.~~ ~~Redevelopment shall be consistent with the Comprehensive Plan policies that encourage the conversion of conventional shopping centers into more traditional, walkable centers.~~

- ~~13.~~ Redevelopment shall include design features to transform drive aisles into a gridded, interconnected street network that includes maneuvering lanes. ~~lined with street-facing buildings that help to frame the street.~~ As drive aisles are transformed into streets and/or maneuvering lanes, the parking areas shall require the addition of multi-use paths, as deemed appropriate by the City during development plan review. This shall apply to ~~both~~ public and private streets and/or maneuvering lanes.

- ~~2.4.~~ Redevelopment shall establish a connected grid of public streets, private streets, and maneuvering lanes to establish a pedestrian-scaled street network ~~private access streets creating an average block size of less than or equal to 1,600 feet in perimeter.~~ Pedestrian scale blocks vary in size but are generally no larger than 1,600 feet in perimeter. In no event shall the perimeter block length exceed 2,000 feet. These perimeter block size requirements shall not apply to shared stormwater facilities or park (active or passive recreation/open space) areas. The PD Ordinance shall establish thresholds associated with redevelopment of this subarea that include requirements for a street layout plan to establish the new street grid system.

- ~~35.~~ Redevelopment shall include pedestrian pathways from the street to the fronts of buildings and to adjacent development as necessary to ensure safe, direct and convenient access to building entrances and off-street parking. The pedestrian routes shall be direct and shall minimize potential conflicts with vehicles. For pedestrian safety and comfort, where a

pedestrian route must go along or cross a parking lot or driveway, a separate path shall be provided with buffer landscaping and other amenities. In lieu of a separate path, a highly visible crosswalk made of materials, acceptable to the City, that provides a strong contrast between the pedestrian area and vehicular surface may be used.

46. The PD Ordinance shall specify the details and timeframe for the owner to dedicate additional right-of-way along both sides of the SW 62<sup>nd</sup> Boulevard extension from Archer Road to Windmeadows Boulevard as redevelopment occurs in this subarea. When redevelopment occurs within this subarea adjacent to the proposed Southwest 62<sup>nd</sup> Boulevard extension (currently Southwest 37<sup>th</sup> Boulevard), the owner shall dedicate to the City 10 feet of additional right-of-way adjacent to, running parallel with and on the eastern side of Southwest 62<sup>nd</sup> Boulevard extension from Archer Road to Windmeadows Boulevard. The value of the right-of-way shall be established by appraisal as of the date of application for development plan review for the redevelopment. The owner shall obtain the appraisal, at its sole expense, and shall provide a copy to the City for its review and approval. If the appraisal is approved by the City, the appraised value shall count toward meeting TCEA Zone M requirements or other the transportation mitigation program requirements in effect at the time of development plan approval of the redevelopment. The credit for transportation mitigation shall not be given until the dedication occurs.
57. A The streetscape plan for this subarea shall be required in conjunction with redevelopment plans for that subarea. Redevelopment along the Archer Road corridor shall be required to meet Concurrency Management Element Comprehensive Plan streetscaping standards, as well as take into consideration the Local Governments Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways Standards, Sec.334.0441(10) (A) and 336.045 Florida Statutes, the MTPO Urban Design Standards for Landscaping, and GRU utility line clearance separation standards.

h.g. General Provisions: All four (4) three-subareas shall be subject to the following standards:

1. The PD Zoning Ordinance shall specify appropriate “low impact development” (LID) techniques to be implemented in the Butler Development Plaza. Prior to second and final reading of the PD Zoning Ordinance. Prior to the first final development plan approval in Subareas 1A or 1B, the owner shall provide legally enforceable documents that establish that a responsible entity will permanently provide for proper maintenance of the LID functional landscape. LID is a site design strategy for maintaining or replicating the pre-development hydrologic regime

through the use of design techniques that create functionally equivalent hydrologic landscape. Reclaimed water shall be used for irrigation if and when it becomes available.

2. Prior to first final development plan approval in Subareas 1A or 1B within a subarea, the owner shall provide a master plan for stormwater management and open space ~~for that entire subarea for review and that is~~ subject to approval by the City. The PD Zoning Ordinance shall specify design standards for stormwater retention/detention facilities to ensure they are aesthetically pleasing, ~~such as designed in curvilinear shapes.~~ Stormwater management facilities shall meet the requirements of the City's Engineering Design and Construction Manual. The owner shall dedicate, at no cost to the City, right-of-way or provide easements to the City for the shared stormwater facilities. Open space requirements shall be based on the entire subarea instead of specific parcel development. A minimum of twenty percent (20%) of ~~each subarea Subareas 1A, 1B, and 2B~~ shall be set aside as open space. A minimum of ten percent (10%) of Subarea 2A or Town Center areas shall be designated as open space. Open space shall include, but not be limited to, stormwater management facilities when their perimeter includes public space (e.g. landscaping, hardscape, trails, or paths) or amenities (e.g. landscape or hardscape), parks, trails or paths, and/or other public space (e.g. plazas, squares, public commons, and/or open-air malls) may include active and passive recreational areas, natural waterways, retention/detention facilities (if designed for public use and access), open space/native habitat areas, trails and picnic areas.
  
3. ~~The owner shall construct the extension of Southwest 62<sup>nd</sup> Boulevard from Archer Road to the northwesternmost extent of the PUD where subareas 2 and 3 adjoin to the specifications in the MTPO approved cross-section (alternative 4B-3) dated March 2, 2009. The PD Zoning Ordinance shall~~ define the construction timeframe, design details, and extent of the SW 62<sup>nd</sup> Boulevard extension through the Butler Development PUD consistent with the MTPO approved cross-section (alternative 4B-3) dated March 2, 2009. The incremental cost of construction (i.e., the cost of construction that is above and beyond the cost the owner would incur to construct a private 3-lane access drive per City standards, including sidewalks and bike lanes) calculated based on the Florida Department of Transportation generic cost per mile shall count toward meeting ~~TCEA Zone M requirements or other transportation mitigation program requirements in the TCEA Zone M Agreement executed on January 3, 2012 (as modified by the Addendum executed November 29, 2012), as shown in Attachment 1 ("Butler Plaza Planned Development (Petition PB-09-84 PDV) Transportation Analysis Executive Summary")~~ effect at the time of application for development plan review for Phase 1 (as defined in the PD Zoning Ordinance of Butler Plaza. Upon completion of construction, the

right-of-way shall be dedicated to the City. The value of the land shall be established by appraisal as of the date of the first final development plan approval in Subareas 1A or 1B ~~development plan approval for Phase 1.~~ The owner, at its expense, shall obtain the appraisal and shall provide a copy of the appraisal to the City for its review and subject to its approval. If the appraisal is approved, the appraised value (less the credit described below) shall count toward meeting the agreed upon TCEA Zone M requirements or other transportation mitigation program requirements in the above-mentioned TCEA Zone M Agreement (as modified by the Addendum executed November 29, 2012) effect at that time. The City shall be given credit, at the same appraised value, for any right-of-way that the City vacates for this road extension project. There shall be no direct access to Southwest 62<sup>nd</sup> Boulevard for out parcels, all access shall be from an internal road network and/or shared driveways. The owner shall maximize vehicular cross-access connections within development areas in the Butler Development PUD Plaza.

4. The City shall enter into an enforceable agreement for the vacation and conveyance to the owner/developer that portion of SW 42<sup>nd</sup> Street between the PUD's northern and southern boundaries, including the City-owned lands containing stormwater management facilities for that section of SW 42<sup>nd</sup> Street. The agreement shall stipulate that the timing for the conveyance by the City of the aforementioned lands shall be in conjunction with the conveyance by the owner/developer of right-of-way for SW 62<sup>nd</sup> Boulevard extension as delineated in the PD Ordinance.
- 5.4. All major and main roadways that are not public streets in the development shall be constructed and maintained at the cost and expense of the owner in accordance with City standards for public streets.
65. The PD Zoning Ordinance shall include landscape conditions, a streetscape/landscape plan along all public and private roads in the development that is consistent with the Concurency Management Element and Land Development Code requirements.
76. The PD Zoning Ordinance shall include a condition that states RTS shall review all development plans that affect bus transportation routes for the potential addition of new transit stops or improvements to existing transit facilities requirements, as specified by the Gainesville Regional Transit System, for conveniently located and highly visible transit stops in each subarea that include amenities for rider convenience and comfort, such as but not limited to, shelter, lighting, seating, trash receptacles and bicycle racks. In addition, the PD Zoning Ordinance or a Transit Transfer Station Agreement shall specify the requirements (including design, size, cost, timing of completion and location) for the owner to construct, at its



expense, a transit transfer station and a park and ride lot within the Butler PUD subarea-2, as approved by the Gainesville Regional Transit System. The park and ride lot shall provide at least 50 park-and-ride spaces in one location for transit users. The transit transfer station shall include restroom facilities, bicycle storage, a route map kiosk, and bays for a minimum of six (6) buses ~~and shall be constructed, inspected and approved prior to the first certificate of occupancy being issued in subarea 2 or 3.~~ Upon completion, the park and ride lot and the transit transfer station improvements and associated land shall be conveyed, at no cost, to the City.

87. Parking requirements may be reduced below the required parking standards in the Land Development Code to encourage alternative modes of travel and to reduce the amount of surface parking. Parking spaces provided in a parking structure shall not count against the maximum number of allowable parking spaces when the parking structure is replacing surface parking area. ~~When facing a public street, the first floor of a stand-alone parking structure shall contain office or retail uses that line at least 50% of the first floor façade or are shielded by liner building(s).~~ Structured parking that is integrated with and connected to commercial, office, or multi-family residential buildings shall not be required to contain office or retail uses. Integrated/connected parking structures shall meet design standards specified in the PD Zoning Ordinance to ensure that building facades have sufficient articulation, especially on the ground floor level.
98. In accordance with the PD Zoning Ordinance Concurrency Management Element, the owner has coordinated with FDOT to address transportation impacts that affect FDOT facilities and has agreed to satisfy the FDOT requirements listed below. Proof of satisfying these requirements shall be provided to the City in the form of a letter or other written documents issued by the FDOT.
- (1) ~~Upon commencement of construction of Phase 2 (as defined in the PD Zoning Ordinance), the owner shall perform an Interchange Modification Report (IMR) consistent with FDOT IMR typical procedures. This IMR would evaluate alternatives and determine a feasible long term plan for the Archer Road (SR-24)/I-75 interchange. The PD Zoning Ordinance shall establish thresholds and a timeframe for the completion of an Interchange Modification Report (IMR). The cost of the IMR shall count toward meeting the agreed upon TCEA Zone M requirements or other transportation mitigation program requirements in the TCEA Zone M Agreement executed on January 3, 2012 (as modified by the Addendum executed November 29, 2012). effect at that time.~~

- (II) Prior to issuance of the first certificate of occupancy (CO) for any new building in Subarea 1A or 1B:
- (i) The developer shall construct a southbound left turn lane at the Archer Road / I-75 interchange, subject to review and approval by the Florida Department of Transportation (FDOT); or
  - (ii) Execute an agreement with FDOT that includes payment from the owner/developer for the FDOT to construct or have constructed the appropriate Archer Road / I-75 interchange modifications as determined by FDOT staff.

~~Before issuance of the first certificate of occupancy in any subarea, the owner shall construct, at its sole expense, a third southbound left turn lane on the I-75 southbound off-ramp. This may or may not require a new mast arm pole, pending design requirements. FDOT shall provide the existing right-of-way for this turn lane at no cost to the owner. This improvement is a site-related operational and safety modification.~~

109. The PD Zoning Ordinance shall specify operational and safety modifications required due to impacts on transportation facilities. ~~Consistent with the Concurrency Management Element, Modifications required for operational and safety impacts that are site related shall not count toward meeting the agreed upon transportation requirements in the TCEA Zone M Agreement executed on January 3, 2012 (as modified by the Addendum executed November 29, 2012). Concurrency Management Element Zone M requirements or other transportation mitigation program in effect at the time.~~
1140. Butler Development Plaza shall provide both internal and external transportation connections to surrounding development.
1244. Transportation mitigation shall be required consistent with ~~Zone M requirements as shown in the Concurrency Management Element or any successor regulation in effect at the time of any development plan approval. Prior to the second and final reading of the PD Zoning Ordinance, the owner shall sign a TCEA Zone M Agreement or other transportation mitigation program agreement in the TCEA Zone M Agreement executed on executed on January 3, 2012 (as modified by the Addendum executed November 29, 2012), as shown in Attachment 1 (“Butler Plaza Planned Development (Petition PB-09-84 PDV) Transportation Analysis Executive Summary”)~~ effect at that time and meet required standards, at a minimum, for Phase 1 (as defined in the PD

Zoning Ordinance) of Butler Plaza. The timing of additional agreements shall be specified in the PD Zoning Ordinance.

12. ~~The owner shall dedicate at least 90 feet and up to 100 feet of right-of-way to the City along the southern edge of SW 1 (as depicted in the PD Zoning Ordinance) and 90 feet from the southeastern corner of SW1 to Southwest 42<sup>nd</sup> Street. Appropriate temporary construction easements shall be provided at no cost to the City. The value of the land shall be established by appraisal as of the date of the final adoption of the PD Zoning Ordinance. The owner, at its expense, shall obtain the appraisal and shall provide a copy of the appraisal to the City for its review and subject to its approval. If the appraisal is approved, the appraised value of the land shall count toward meeting required TCEA Zone M requirements. A 2-lane roadway, with bike lanes and sidewalks shall be constructed by owner, along this section, connecting Southwest 40<sup>th</sup> Boulevard to Southwest 42<sup>nd</sup> Street. In lieu of a sidewalk, a 12-foot multi-use path may be constructed along this section. Upon completion of construction, the right-of-way and road improvements shall be dedicated to the City. The roadway improvements along the southern edge of SW 1 shall count toward meeting required TCEA Zone M requirements or other transportation mitigation program requirements in effect at the time of application for development plan review for Phase 1 (as defined in the PD Ordinance) of Butler Plaza. The road improvements from the southeastern corner of SW1 to Southwest 42<sup>nd</sup> Street shall be constructed at the sole expense of the owner. Future connectivity is envisioned to the Alachua County's proposed Southwest 30<sup>th</sup> Avenue I-75 Bridge project shown in the County's Capital Improvements Element. The County's proposed cross-section for the roadway consists of a two-lane divided roadway with bike lanes, two dedicated lanes for rapid transit and a 12-foot multi-use path.~~
13. Future connectivity between the Butler Development and the area west of I-75 is envisioned by Alachua County's proposed Southwest 30<sup>th</sup> Avenue I-75 Bridge project as shown in the County's Capital Improvements Element. The PD Zoning Ordinance shall specify details regarding the dedication of right-of-way to the City and roadway design and construction (including sidewalks, bike lanes, or a multi-use path) for SW 30<sup>th</sup> Avenue from SW 40<sup>th</sup> Boulevard to SW 42<sup>nd</sup> Street. The right-of-way shall be a minimum of 90 feet. A deed for right-of-way dedication to the City shall be placed in escrow within 60 days of the effective date of the comprehensive plan amendment to Future Land Use Element Policy 4.3.6 for the Butler Development (PB-12-148 CPA). The dedication of right-of-way and construction for the SW 30<sup>th</sup> Avenue improvements between SW 40<sup>th</sup> Boulevard and SW 42<sup>nd</sup> Street shall count toward meeting the agreed upon transportation requirements specified in the TCEA Zone M Agreement executed on January 3, 2012 (as modified by the Addendum executed November 29, 2012). The value of the land shall be established

by appraisal prior to the second reading of the PD Zoning Ordinance. The owner, at its expense, shall obtain the appraisal and shall provide a copy of the appraisal to the City for its review and subject to its approval.

- ~~13. The owner shall allow Alachua County to use the stormwater areas within subarea 2 for staging for construction of the County's Southwest 30<sup>th</sup> Avenue I-75 Bridge; provided the County agrees to return the stormwater area to its preexisting condition upon completion of Southwest 30<sup>th</sup> Avenue I-75 Bridge or to modify it, if such modification is agreed to by the City, owner and the County.~~
14. Butler Development Plaza shall maximize pedestrian/bicycle connections among all uses, subareas, and external areas, and shall maximize pedestrian safety and comfort. Bicycle racks shall be located close to the main building entrances. Pedestrian facilities shall link streets, buildings, parking and open space areas within and among the subareas. A network of sidewalks and street trees shall be provided on all internal streets (public and private). Sidewalks and pathway connections shall be made from the internal pedestrian system to the public right-of-way adjoining the Planned Use District.

**Butler Development PUD**  
*Comprehensive Plan Text Amendment*  
*Justification Report*

*Prepared for Submittal to:*  
The City of Gainesville, Florida

*Prepared on Behalf of:*  
Butler Enterprises, Inc.

*Prepared by:*



January 7, 2013

PN 12-0296

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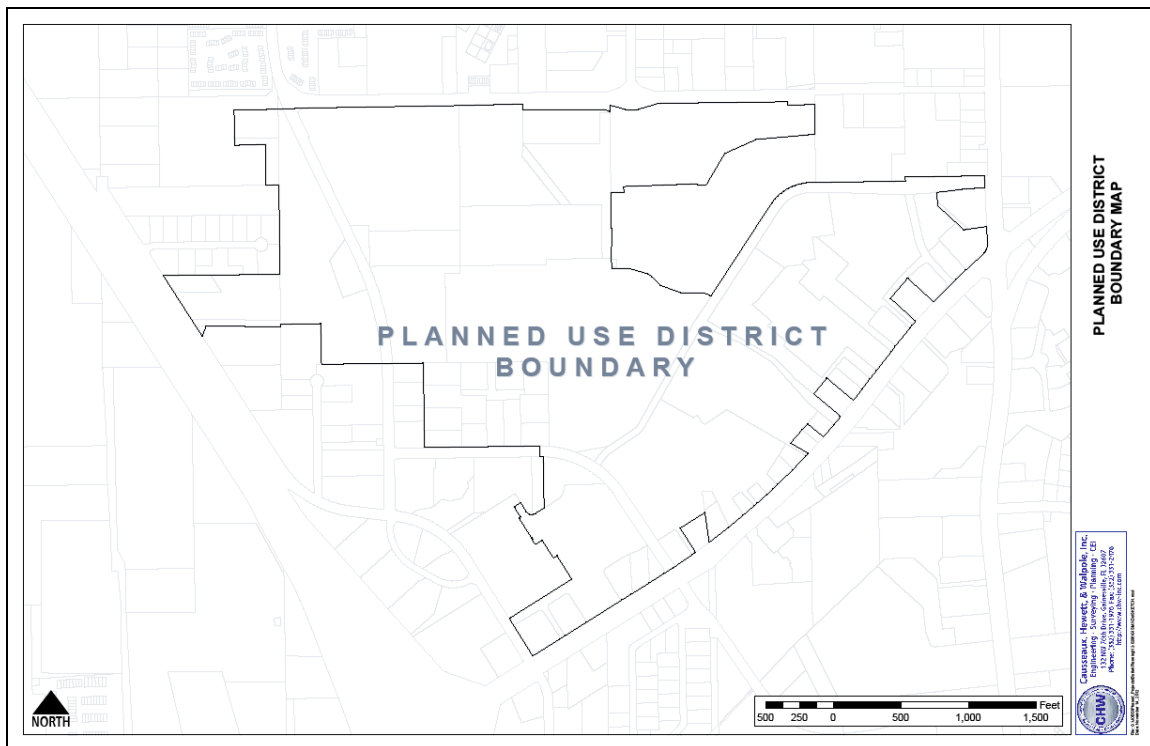
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## JUSTIFICATION SUMMARY

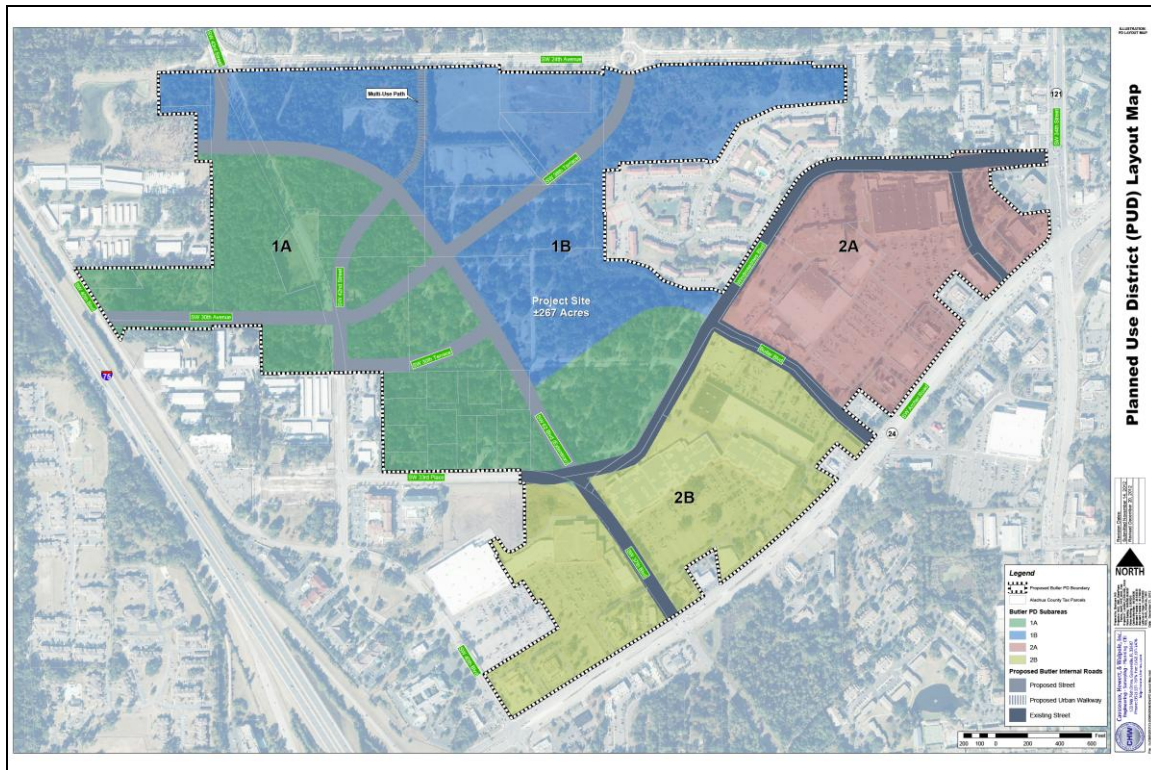
This comprehensive plan text amendment is submitted in conjunction with a small-scale comprehensive plan amendment that adds additional parcels to the Butler Development Planned Use District (PUD). This text amendment revises Future Land Use Element (FLUE) Policy 4.3.6. This policy was adopted to regulate the Butler Development PUD. FLUE Policy 4.3.6 was adopted by Ordinance 090537 on August 5, 2010. The related Butler Development Planned Development (PD) Ordinance was not adopted until January 2012. Therefore the original version of Policy 4.3.6 contained many more specific development standards and requirements for improvements that would not normally be included in a comprehensive plan.

Since the Butler Development PD is now adopted, the applicant is proposing to streamline Policy 4.3.6. by removing very specific language and place the specificity in the PD Ordinance and/or PD Justification Report. The total Butler Development PUD entitlements will remain the same. No new entitlements are being requested as part of this application and the existing entitlements will be extended to the additional  $\pm 3.20$  acres added by the small-scale comprehensive plan amendment submitted in conjunction with this text amendment application. The new PUD boundary is shown in Figure 1.



**Figure 1. Butler Development PUD Boundary**

The proposed text amendment establishes new subareas for the Butler Development PUD that specifically relate to logical infrastructure development patterns and development standards set forth in the related PD Amendment. The new subareas are shown in Figure 2.



**Figure 2. Butler Development PUD Subareas**

The following bullet points summarize the intent of the remaining revisions to Policy 4.3.6:

- Removal of specific required improvements and specific development standards to reduce duplication with the proposed PD ordinance;
- Create flexibility which will ensure that the PUD can respond to an ever changing retail market and financial world;
- Reduce the need for additional text amendments in the future;
- Designate a specific amount of entitlements that must be developed consistent with the Town Center development standards established in the Butler Development PD;
- Shift the required Town Center to Subarea 2A;
- Create a measurable trigger for consistency with the Town Center development standards within Subarea 2A; and
- Retain general development principles for the Butler Development PUD.

The SsCPA and text amendment applications are submitted concurrently with a Butler Development PD rezoning application. It is anticipated that all three applications and related ordinances will be reviewed and adopted concurrently. Therefore, City staff and City officials can be certain that specific development standards will be applied to the Butler Development PUD / PD, even though these specificities are proposed for removal from FLUE Policy 4.3.6.



## PROPOSED TEXT CHANGES

4.3.6 The property governed by this policy shall be known as the “Butler Development.” ~~“Butler Plaza.”~~ Butler Development Plaza shall be divided into four (4) ~~three (3)~~ subareas as depicted on the map labeled “PUD Future Land Use Overlay” attached hereto as Exhibit “B” and made a part hereof as if set forth in full. Comprehensive Plan policies of general applicability shall apply to the subject property. In the event of express conflict or inconsistency between the general Comprehensive Plan policies and specific policies set forth below, the specific policies shall govern. Butler Development Plaza shall be governed by the following specific policies:

- a. Subareas 1A, 1B, 2A, and 2B ~~3~~ shall be designated PUD (Planned Use District) on the Future Land Use Map.
- b. The maximum levels of intensity and allowable uses are established ~~within each subarea~~ below:

<u>Commercial uses:</u>	<u>2,500,408 square feet</u>
<u>Office uses:</u>	<u>250,000 square feet</u>
<u>Hotel / Motel uses:</u>	<u>500 rooms</u>
<u>Multi-family Residential uses:</u>	<u>1,000 units</u>

~~Subarea 1: Commercial uses: 1,000,408 square feet~~

~~Subarea 2: Commercial uses: 600,000 square feet  
Office uses: 50,000 square feet  
Hotel/motel uses: 100 rooms~~

~~Subarea 3: Commercial uses: 900,000 square feet  
Office uses: 200,000 square feet  
Hotel/motel rooms: 400 rooms~~

- c. All subareas:
  1. A maximum of 1,000 multi-family residential units shall be allowed in Butler Development Plaza. The units may be allocated to any of the four (4) ~~three~~ subareas. Multi-family residential uses shall be permitted in any combination of vertical or horizontal mix or as a standalone use. Twenty percent of the multi-family residential units constructed, whether rental or owner occupied, shall be “eligible”, “affordable housing” units for “very low-income”, “low-income,” or “moderate income” “persons or households” as those terms are defined in the City’s Local Housing Assistance Program (LHAP) at the time of construction. The affordability of such units shall be maintained for a period of 10 years, shall run with the land and shall be enforceable by the City through recorded covenants or restrictions.
  2. ~~Among the subareas that allow commercial uses or office uses, the owner may transfer up to 20% of the maximum allowable intensity between the same uses. By way of example, the owner may transfer 120,000 square feet of commercial uses from~~

~~subarea 2 to subarea 1. However, the overall maximum intensity for the combined sub areas shall not be increased, and specific uses that are prohibited in certain subareas as provided below, are not permitted by a transfer of allowable intensity.~~

23. The maximum cumulative development program for Butler Development Plaza (including existing development, redevelopment and development within all subareas) is also limited by the maximum trip generation which is not to exceed 37,591 average daily trips for all subareas. There are 12,224 average daily trips associated with the existing development in subarea 2A and 2B4; the owner may transfer up to 20% of those trips to the same use in another subarea. The planned development zoning ordinance for Butler Plaza (the "PD Zoning Ordinance") shall include a land use equivalency matrix that shows use substitutions based on trip generation rates using ITE Trip Generation 8th Edition.
3. Maximum building height shall be eight (8) stories.
4. The actual densities, specific uses and phases of development shall be specified in the PD Zoning Ordinance.
5. The Butler Development PUD shall be consistent with the City's Concurrency Management Element and TCEA Zone M policies or any successor regulations in effect at the time of development plan approval.
- ~~d. Subarea 1: Subarea 1 includes approximately 108 acres and may include the full range of commercial uses allowed in the City's Commercial land use category and may include Large Scale Retail. For purposes of this policy, Large Scale Retail is defined as a single retail use with a ground floor footprint exceeding 100,000 square feet. Except as specified in the PD Zoning Ordinance, this subarea shall be governed by the design standards in the Special Area Plan for Central Corridors in the City's Land Development Code. This subarea may include drive-throughs consistent with the City's Concurrency Management Element and TCEA Zone M requirements, or any successor regulations in effect at the time of development plan approval. Special event automotive sales may be allowed in limited locations as specified in the PD Zoning Ordinance.~~

~~Residential uses shall be permitted in any combination of vertical or horizontal mix or as a standalone use. The following conditions shall apply to Subarea 1:~~

61. The PD Zoning Ordinance shall define "redevelopment" and specify standards for redevelopment. The redevelopment standards shall include specific measures to transform this subarea so that it provides better transit, bicycle, and pedestrian access. The redevelopment standards The PD Zoning Ordinance shall address building orientation, block length, multi-modal transportation (consistent with the City's Concurrency Management Element and TCEA Zone M policies or any successor regulations in effect at the time of development plan approval), open spaces, parking standards, building heights,

build-to lines and/or setback buffers, building articulation, ~~building materials and colors~~, mechanical equipment, trash and loading areas, landscaping and overall access through the subareas.

d. The following conditions shall apply to Subarea 2B:

12. Redevelopment shall be consistent with the Comprehensive Plan policies that encourage the conversion of conventional shopping centers into more traditional, walkable centers.
23. Redevelopment shall include design features to transform drive aisles into a gridded, interconnected street network that includes maneuvering lanes. Maneuvering lanes are vehicle use areas that connect off-street parking areas and typically provide sidewalks and landscaping on at least one side lined with street-facing buildings that help to frame the street. As drive aisles are transformed into streets and/or maneuvering lanes, the parking areas shall require the addition of multi-use paths, as deemed appropriate by the City during development plan review. This shall apply to both public and private streets.
34. Redevelopment shall establish a connected grid of public streets, private streets, and maneuvering lanes ~~private access streets~~ creating an average block size of less than or equal to 1,600 feet in perimeter. In no event shall the perimeter block length exceed 2,000 feet. These block size requirements shall not apply to shared stormwater facilities or park (active or passive recreation/open space) areas.
45. Redevelopment shall include pedestrian pathways from the street to the fronts of buildings and to adjacent development as necessary to ensure safe, direct and convenient access to building entrances and off-street parking. The pedestrian routes shall be direct and shall minimize potential conflicts with vehicles. For pedestrian safety and comfort, where a pedestrian route must go along or cross a parking lot or driveway, a separate path shall be provided, where appropriate, with buffer landscaping and other amenities. In lieu of a separate path, a highly visible crosswalk made of materials, acceptable to the City, that provide a strong contrast between the pedestrian area and vehicular surface may be used.
56. The PD Ordinance shall outline the details and timeframe for the owner to dedicate additional right-of-way along the SW 62<sup>nd</sup> Boulevard extension from Archer Road to Windmeadows Boulevard. When redevelopment occurs within this subarea adjacent to the proposed Southwest 62<sup>nd</sup> Boulevard extension (currently Southwest 37<sup>th</sup> Boulevard), the owner shall dedicate to the City 10 feet of additional right-of-way adjacent to, running parallel with and on the eastern side of Southwest 62nd Boulevard extension from Archer Road to Windmeadows Boulevard. The value of the right-of-way shall be established by appraisal as of the date of application for development plan review for the redevelopment. The owner shall obtain the appraisal, at its

sole expense, and shall provide a copy to the City for its review and approval. If the appraisal is approved by the City, the appraised value shall count toward meeting TCEA Zone M requirements or other transportation mitigation program in effect at the time of development plan approval of the redevelopment. The credit for transportation mitigation shall not be given until the dedication occurs.

67. ~~The streetscape plan for this subarea shall be required in conjunction with redevelopment plans for that subarea. Redevelopment along the Archer Road corridor shall be required to meet Concurrency Management Element streetscaping standards, as well as take into consideration the Local Governments Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways Standards, Sec.334.0441(10) (A) and 336.045 Florida Statutes, the MTPO Urban Design Standards for Landscaping, and GRU utility line clearance separation standards.~~
- e. ~~Subarea 1A2: Subarea 2 includes approximately 49 acres and may include the full range of commercial uses allowed in the City's Commercial Land Use category and may include Large Scale Retail uses (as defined in Policy 4.3.6.d.). This subarea may include drive-throughs consistent with the City's Concurrency Management Element and TCEA Zone M requirements, or any successor regulation in effect at the time of development plan approval. Monopole and/or camouflaged cellular towers may also be allowed, subject to the land development regulations in effect at the time of development plan approval. Automotive sales, including special event sales, are prohibited in this subarea. Residential uses shall be permitted in any combination of vertical or horizontal mix or as a stand-alone use. The following conditions shall apply to Subarea 1A2:~~
1. ~~Loading docks and outdoor uses shall be buffered from adjacent uses outside of Butler Development Plaza in accordance with the PD Zoning Ordinance landscape buffer requirements of the City's Land Development Code.~~
  2. ~~Large Scale Retail uses in this subarea may have parking facilities located outside the front door of these retail uses. Developments located on out parcels shall be designed with parking to the rear or sides of buildings.~~
  3. ~~The PD Zoning Ordinance shall specify standards for building orientation, build-to lines, building articulation, glazing, parking, garden walls, landscaping, pedestrian and transit facilities.~~
  4. ~~Development shall include sidewalks, pathways, crosswalks and pedestrian nodes that shall be integrated within the overall Butler Development Plaza development to provide for a defined, interconnected system.~~

5. Bicycle lanes and/or routes shall be provided from bus stops and adjacent areas (including areas outside of Butler Development Plaza) to the buildings within this subarea.
  - ~~6. This subarea shall develop consistent with the standards and guidelines for subarea 3, including a gridded, interconnected street network lined with street-facing buildings that help to frame the street. This shall not apply to the development of Large Scale Retail (as defined in Policy 4.3.6.d).~~
  67. Development in this subarea shall establish a connected grid of public streets, private streets, and maneuvering lanes ~~private access streets~~ creating an average block size of less than or equal to 3,200 ~~1600~~-feet in perimeter. Property boundaries adjacent to the PUD may be used to establish one or more sides of a block.
  7. One gasoline service station with a maximum of twelve (12) fueling positions shall be allowed within Subarea 1A. There shall be no restrictions on the placement or location of the allowed fueling (gas) pumps within this subarea.
- f. Subarea 2A: ~~Subarea 3 includes approximately 110 acres and may include the full range of office uses allowed in the City's Office Land Use category, general retail, eating places, hotels, theaters, sporting goods stores, residential and civic spaces. Large Scale Retail uses (as defined in Policy 4.3.6.d.) are prohibited. Gas stations, automotive sales (including special event sales), automotive repair, and car washes are prohibited. Design standards for drive-through uses shall be specified in the PD Zoning Ordinance. Residential uses shall be permitted above non-residential uses or as stand-alone uses. The following conditions shall apply to subarea 2A:~~
1. Upon completing a total of 550,000 square feet of development within Subareas 1A and 1B, development and redevelopment within Subarea 2A shall be consistent with the Town Center development standards established in the Butler Development PD Ordinance.
  2. Development within this subarea shall include the following urban design characteristics:
    - (I)- Building facades pulled up close to the street, facing the street, and generally aligned.
      - ~~Building facades aligned to form squares or plazas.~~
    - (II)- Relatively high-density ~~mixed-use~~, compactly designed to accommodate walking.
      - ~~One to six stories shall be permitted, with a maximum height of 75 feet. At least eighty percent (80%) of the building height adjacent to the primary private street within the Towne Centre (as such area is designated in the PD~~

~~Zoning Ordinance) and for all buildings along 24th Avenue shall be at least two stories or a minimum of one story of 24 feet in height measured to the top of the parapet or median roof line, to create the appropriate scale and urban form.~~

- (III)- First floors of buildings that incorporate levels of articulation and glazing in order to promote pedestrian interest.
- (IV)- A connected network of wide sidewalks that promotes safety, comfort, and convenience for pedestrians by linking streets, parking areas, buildings, and adjacent development.
- (V)- Shade trees along all streets.
- (VI)- Terminated vistas.
- (VII) On-street parking where feasible and appropriate to building area and street type.
- (VIII)- Off-street parking located at the side or rear of buildings and away from pedestrian areas or shielded where feasible and appropriate.
- ~~Restrictions on auto-oriented uses and uses that generate significant noise, odor, or dust.~~
- (IX) The PD Zoning Ordinance shall establish standards for drive-through facilities including maximum number of drive-through lanes for each use and design requirements.
- (X)- A connected grid of public streets, private streets, and maneuvering lanes ~~private access streets creating an average block size of less than or equal to 1,600 feet in perimeter.~~ In no event shall the block perimeter length exceed 2,000 feet for a single block. These block size requirements shall not apply to shared stormwater facilities or park (active or passive recreation/open space) areas.

32. Urban design standards that ensure compatibility among the various allowed uses shall be specified in the PD Zoning Ordinance. Additional standards may be required to address noise and lighting to further assure compatibility. The PD Zoning Ordinance shall, through design and performance standards, provide a quality pedestrian experience by regulating building type, scale, overall building appearance and orientation, placement and function of parking, loading, waste disposal, access points, outdoor uses and mechanical equipment, block size, signage and landscaping.

g. Subarea 1B: The following conditions shall apply to Subarea 1B:

1. The PD Zoning Ordinance shall provide design standards that establish a development pattern that is compatible and transitions appropriately to the nearby Urban Village.
2. A connected grid of public streets, private streets, and maneuvering lanes. In no event shall the block perimeter length exceed 2,000 feet for a single block. These block size requirements shall not apply to shared stormwater facilities or park (active or passive recreation / open space) areas.

hg. General Provisions: All ~~four (4)~~ three-subareas shall be subject to the following standards:

1. The PD Zoning Ordinance shall specify appropriate “low impact development” (LID) techniques to be implemented in Butler Development Plaza. ~~Prior to second and final reading of the PD Zoning Ordinance~~ Prior to development plan approval for all phases of the Butler Development PUD, the owner shall provide legally enforceable documents that establish that a responsible entity will permanently provide for proper maintenance of the LID functional landscape. LID is a site design strategy for maintaining or replicating the pre-development hydrologic regime through the use of design techniques that create functionally equivalent hydrologic landscape. Reclaimed water shall be used for irrigation if and when it becomes available.
2. Prior to development plan approval for the initial phase of development within a subarea, the owner shall provide a master plan for stormwater management and open space ~~for that entire subarea~~ for review and subject to approval by the City. The PD Zoning Ordinance shall specify design standards for stormwater retention/detention facilities to ensure they are aesthetically pleasing, ~~such as designed in curvilinear shapes~~. Stormwater management facilities shall meet the requirements of the City’s Engineering Design and Construction Manual. The owner shall dedicate, at no cost to the City, right-of-way or provide easements to the City for the shared stormwater facilities. Open space requirements shall be based on the entire subarea instead of specific parcel development. A minimum of ~~ten~~ twenty percent (~~10~~20%) of each subarea shall be set aside as open space. Open space shall include but not be limited to stormwater management facilities when their perimeter includes public space (e.g. landscaping, hardscape, trails, or paths) or amenities (e.g. landscape or hardscape), parks, trails or paths, and/or other public space (e.g. plazas, squares, public commons, and/or malls) ~~may include active and passive recreational areas, natural waterways, retention/detention facilities (if designed for public use and access), open space/native habitat areas, trails and picnic areas.~~
3. ~~The owner shall construct the extension of Southwest 62<sup>nd</sup> Boulevard from Archer Road to the northwesternmost extent of the PUD where subareas 2 and 3 adjoin to the specifications in~~

~~the MTPO approved cross-section (alternative 4B-3) dated March 2, 2009. The PD Zoning Ordinance shall define the construction timeframe and design details for the SW 62<sup>nd</sup> Boulevard extension through the Butler Development PUD. The incremental cost of construction (i.e., the cost of construction that is above and beyond the cost the owner would incur to construct a private 3-lane access drive per City standards, including sidewalks and bike lanes) calculated based on the Florida Department of Transportation generic cost per mile shall count toward meeting TCEA Zone M requirements or other transportation mitigation program requirements in the TCEA Zone M Agreement executed on \_\_\_\_\_, as shown in Attachment 1 ("Butler Plaza Planned Development (Petition PB-09-84 PDV) Transportation Analysis Executive Summary") effect at the time of application for development plan review for Phase 1 (as defined in the PD Zoning Ordinance of Butler Plaza. Upon completion of construction, the right-of-way shall be dedicated to the City. The value of the land shall be established by appraisal as of the date of the development plan approval for Phase 1. The owner, at its expense, shall obtain the appraisal and shall provide a copy of the appraisal to the City for its review and subject to its approval. If the appraisal is approved, the appraised value (less the credit described below) shall count toward meeting the agreed upon TCEA Zone M requirements or other transportation mitigation program requirements in the above mentioned TCEA Zone M Agreement effect at that time. The City shall be given credit, at the same appraised value, for any right-of-way that the City vacates for this road extension project. There shall be no direct access to Southwest 62<sup>nd</sup> Boulevard for out parcels, all access shall be from an internal road network and/or shared driveways. The owner shall maximize vehicular cross-access connections within development areas in the Butler Development PUD Plaza.~~

4. The City shall enter into an enforceable agreement for the vacation and conveyance to the owner / developer that portion of SW 42<sup>nd</sup> Street between the PUD's northern and southern boundaries, including the City owned lands containing stormwater management facilities for that section of SW 42<sup>nd</sup> Street. The agreement shall stipulate that the timing for the conveyance by the City of the aforementioned lands shall be in conjunction with the conveyance by the owner / developer right-of-way for SW 62<sup>nd</sup> Boulevard from Windmeadows Boulevard to the development's western boundary.
5. \_\_\_\_\_ All major and main roadways that are not public streets in the development shall be constructed and maintained at the cost and expense of the owner in accordance with City standards for public streets.
65. The PD Zoning Ordinance shall include landscape conditions. ~~a streetscape/landscape plan along all public and private roads in the development that is consistent with the Concurrency~~



Management Element and Land Development Code requirements.

76. The PD Zoning Ordinance shall include a condition that states RTS shall review all development plans that affect bus transportation routes for the potential addition of new transit stops or improvements to existing transit stops, ~~requirements, as specified by the Gainesville Regional Transit System, for conveniently located and highly visible transit stops in each subarea that include amenities for rider convenience and comfort, such as but not limited to, shelter, lighting, seating, trash receptacles and bicycle racks.~~ In addition, the PD Zoning Ordinance or a Transit Transfer Station Agreement shall specify the requirements (including design, size, cost and location) for the owner to construct, at its expense, a transit transfer station and a park and ride lot ~~within subarea 2~~, as approved by the Gainesville Regional Transit System. The park and ride lot shall provide at least 50 park-and-ride spaces in one location for transit users. The transit transfer station shall include restroom facilities, bicycle storage, a route map kiosk, and bays for a minimum of six (6) buses ~~and shall be constructed, inspected and approved prior to the first certificate of occupancy being issued in subarea 2 or 3.~~ Upon completion, the park and ride lot and the transit transfer station shall be conveyed, at no cost, to the City.
87. Parking requirements may be reduced below the required parking standards in the Land Development Code to encourage alternative modes of travel and to reduce the amount of surface parking. Parking spaces provided in a parking structure shall not count against the maximum number of allowable parking spaces when the parking structure is replacing surface parking area. ~~When facing a public street, the first floor of a stand-alone parking structure shall contain office or retail uses that line at least 50% of the first floor façade or are shielded by liner building(s).~~ Structured parking that is integrated with and connected to commercial, office, or multi-family residential buildings shall not be required to contain office or retail uses. Integrated/connected parking structures shall meet design standards specified in the PD Zoning Ordinance to ensure that building facades have sufficient articulation, especially on the ground floor level.
98. In accordance with the PD Zoning Ordinance Concurrency Management Element, the owner has coordinated with FDOT to address transportation impacts that affect FDOT facilities and has agreed to satisfy the FDOT requirements listed below. Proof of satisfying these requirements shall be provided to the City in the form of a letter or other written documents issued by the FDOT.
- (1)- ~~Upon commencement of construction of Phase 2 (as defined in the PD Zoning Ordinance), the owner shall perform an Interchange Modification Report (IMR) consistent with FDOT IMR typical procedures. This IMR would evaluate alternatives and determine a feasible long term plan for the Archer Road (SR 24)/I-75 interchange.~~

The PD Zoning Ordinance shall establish thresholds and a timeframe for the completion of an Interchange Modification Report (IMR). The cost of the IMR shall count toward meeting the agreed upon TCEA Zone M requirements or other transportation mitigation program requirements in the TCEA Zone M Agreement executed on effect at that time.

(II)- Prior to issuance of the first certificate of occupancy (CO) for any new building in Subarea 1A or 1B:

(i) The developer shall construct a southbound left turn lane at the Archer Road / I-75 interchange, subject to review and approval by the Florida Department of Transportation (FDOT); or

(ii) Execute an agreement with FDOT for the FDOT to construct or have constructed the appropriate Archer Road / I-75 interchange modifications as determined by FDOT staff.

~~Before issuance of the first certificate of occupancy in any subarea, the owner shall construct, at its sole expense, a third southbound left turn lane on the I-75 southbound off-ramp. This may or may not require a new mast arm pole, pending design requirements. FDOT shall provide the existing right-of-way for this turn lane at no cost to the owner. This improvement is a site-related operational and safety modification.~~

109. The PD Zoning Ordinance and/or the TCEA Zone M Agreement executed on \_\_\_\_\_ shall specify operational and safety modifications required due to impacts on transportation facilities. Consistent with the Concurrency Management Element, Modifications required for operational and safety impacts that are site related shall not count toward meeting the agreed upon transportation requirements in the TCEA Zone M Agreement executed on \_\_\_\_\_ Concurrency Management Element Zone M requirements or other transportation mitigation program in effect at the time.

1140. Butler Development Plaza shall provide both internal and external transportation connections to surrounding development.

1244. Transportation mitigation shall be required consistent with Zone M requirements as shown in the Concurrency Management Element or any successor regulation in effect at the time of any development plan approval. Prior to the second and final reading of the PD Zoning Ordinance, the owner shall sign a TCEA Zone M Agreement or other transportation mitigation program agreement in the TCEA Zone M Agreement executed on \_\_\_\_\_, as shown in Attachment 1 ("Butler Plaza Planned Development (Petition PB-09-84 PDV) Transportation Analysis Executive Summary") effect at that time and meet required standards, at a

minimum, for Phase 1 (as defined in the PD Zoning Ordinance) of Butler Plaza. The timing of additional agreements shall be specified in the PD Zoning Ordinance.

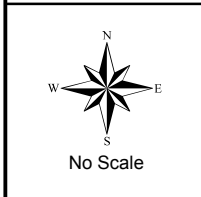
- ~~1312.~~ The owner shall dedicate at least 90 feet and up to 100 feet of right-of-way to the City along the southern edge of SW 1 (as depicted in the PD Zoning Ordinance) and 90 feet from the southeastern corner of SW1 to Southwest 42<sup>nd</sup> Street. The PD Zoning Ordinance and/or the TCEA Zone M Agreement executed on \_\_\_\_\_ shall provide details regarding the dedication of right-of-way and roadway design for SW 30<sup>th</sup> Avenue from SW 40<sup>th</sup> Boulevard to SW 42<sup>nd</sup> Street. Appropriate temporary construction easements shall be provided at no cost to the City. The value of the land shall be established by appraisal as of the date of the final adoption of the PD Zoning Ordinance. The owner, at its expense, shall obtain the appraisal and shall provide a copy of the appraisal to the City for its review and subject to its approval. If the appraisal is approved, the appraised value of the land shall count toward meeting the agreed upon transportation required TCEA Zone M requirements specified in the TCEA Zone M Agreement executed on \_\_\_\_\_. A 2-lane roadway, with bike lanes and sidewalks shall be constructed by owner, along this section, connecting Southwest 40<sup>th</sup> Boulevard to Southwest 42<sup>nd</sup> Street. In lieu of a sidewalk, a 12-foot multi-use path may be constructed along this section. Upon completion of construction, the right-of-way and road improvements shall be dedicated to the City. The SW 30<sup>th</sup> Avenue roadway improvements along the southern edge of SW 1 shall count toward meeting the agreed upon transportation required TCEA Zone M requirements specified in the TCEA Zone M Agreement executed on \_\_\_\_\_ or other transportation mitigation program requirements in effect at the time of application for development plan review for Phase 1 (as defined in the PD Ordinance) of Butler Plaza. The road improvements from the southeastern corner of SW1 to Southwest 42<sup>nd</sup> Street shall be constructed at the sole expense of the owner. Future connectivity is envisioned to the Alachua County's proposed Southwest 30<sup>th</sup> Avenue I-75 Bridge project shown in the County's Capital Improvements Element. The County's proposed cross-section for the roadway consists of a two-lane divided roadway with bike lanes, two dedicated lanes for rapid transit and a 12-foot multi-use path.
- ~~13.~~ The owner shall allow Alachua County to use the stormwater areas within subarea 2 for staging for construction of the County's Southwest 30<sup>th</sup> Avenue I-75 Bridge; provided the County agrees to return the stormwater area to its preexisting condition upon completion of Southwest 30<sup>th</sup> Avenue I-75 Bridge or to modify it, if such modification is agreed to by the City, owner and the County.
14. Butler Development Plaza shall maximize pedestrian/bicycle connections among all uses, subareas, and external areas, and shall maximize pedestrian safety and comfort. Bicycle racks shall be located close to the main building entrances. Pedestrian facilities shall link streets, buildings, parking and open space

areas within and among the subareas. A network of sidewalks and street trees shall be provided on all internal streets (public and private). Sidewalks and pathway connections shall be made from the internal pedestrian system to the public right-of-way adjoining the Planned Use District.

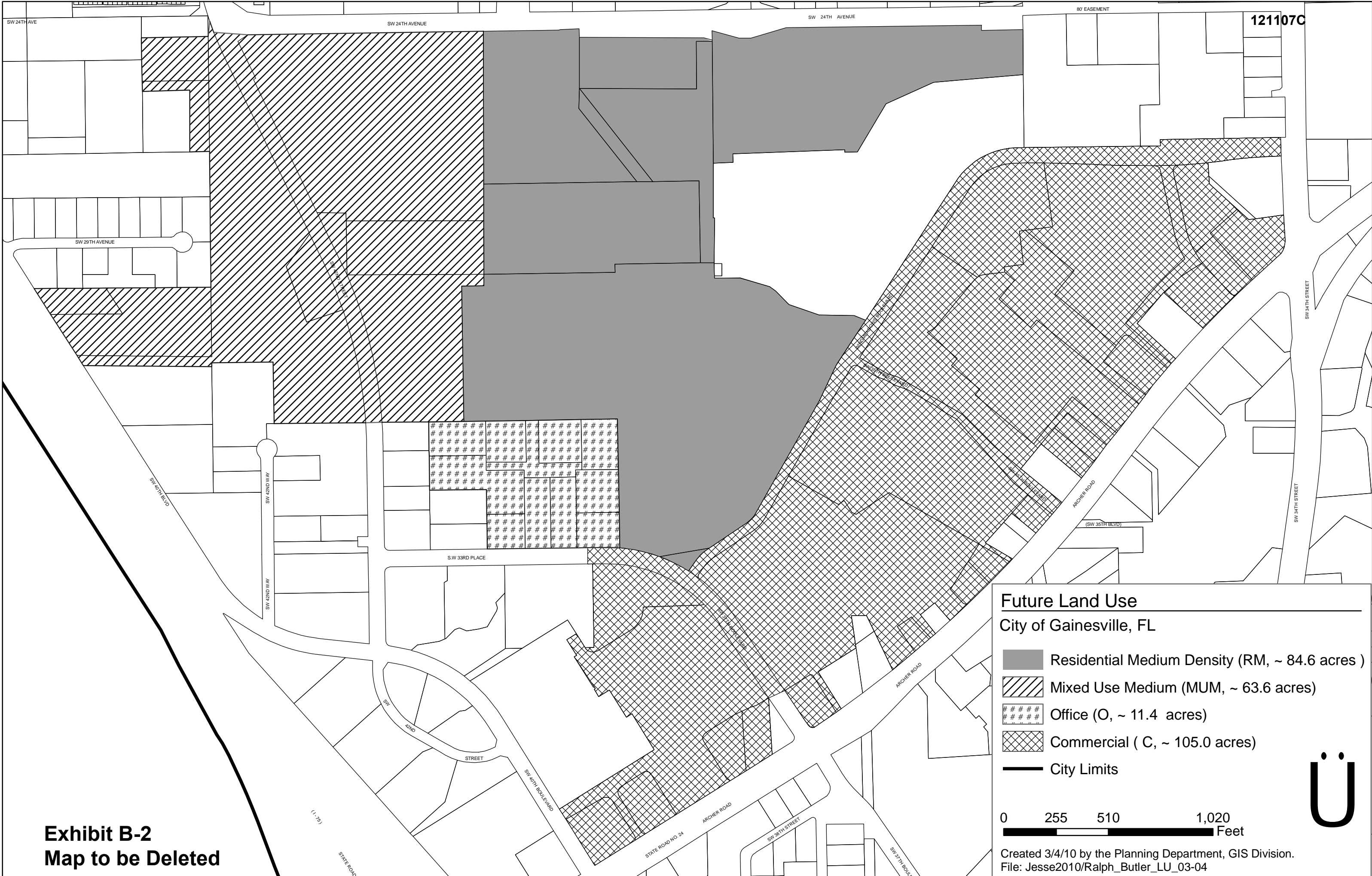
15. Service bays for automobile-oriented uses shall be located to the side and/or rear of buildings within the PUD.



AERIAL PHOTOGRAPH



Name	Map(s)	Petition Number
Causseaux, Hewett & Walpole, Inc agent for Clark Butler Properties Corp and Robert Doan and Roy Lambert, Jr agents for Regency Windmeadows Limited Partnership	4344, 4445	PB-12-148 CPA PB-12-150 PDV



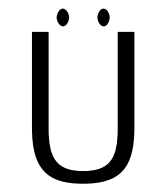
**Exhibit B-2  
Map to be Deleted**

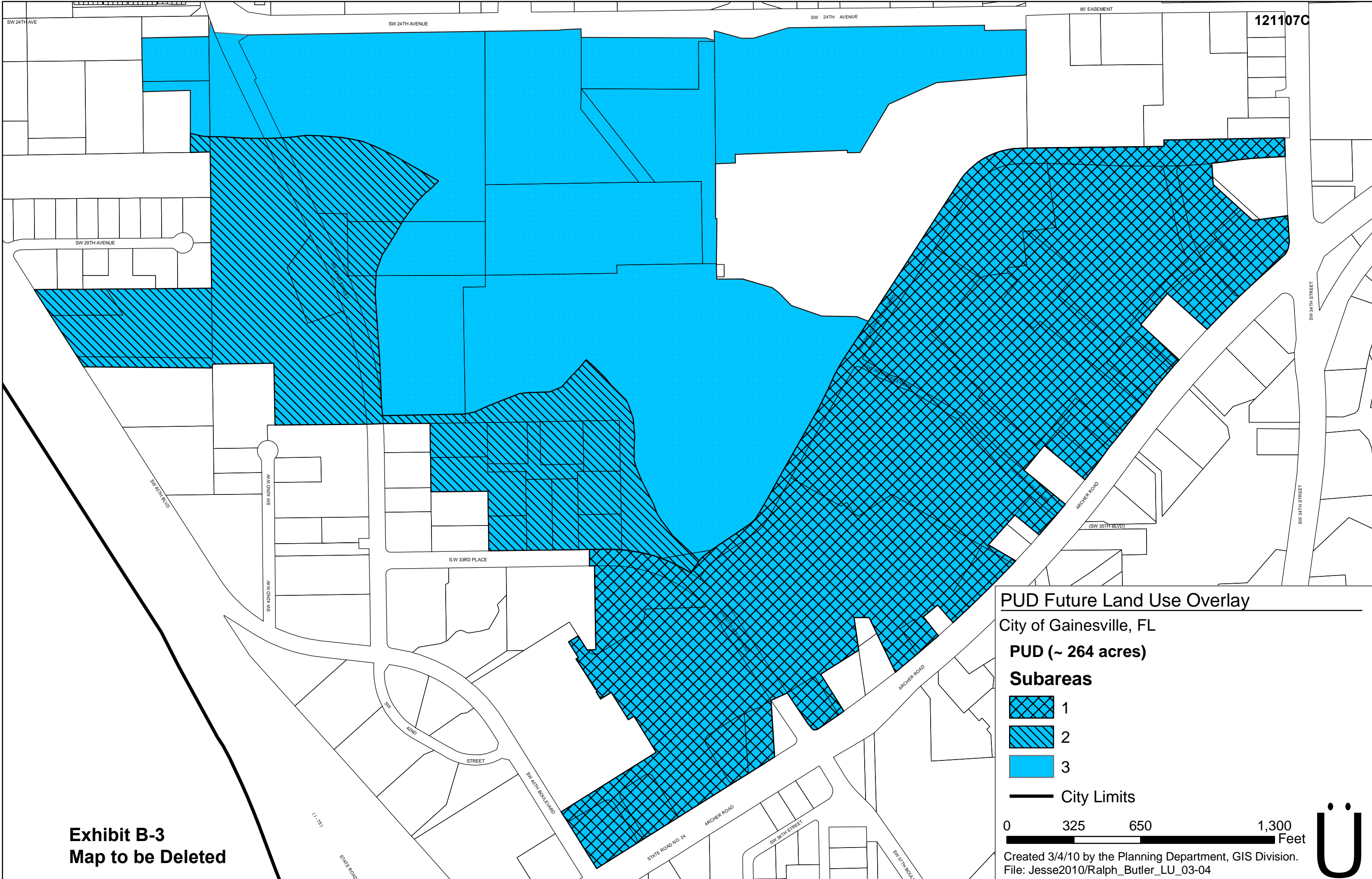
**Future Land Use**  
City of Gainesville, FL

- Residential Medium Density (RM, ~ 84.6 acres )
- Mixed Use Medium (MUM, ~ 63.6 acres)
- Office (O, ~ 11.4 acres)
- Commercial ( C, ~ 105.0 acres)
- City Limits

0    255    510    1,020  
 Feet

Created 3/4/10 by the Planning Department, GIS Division.  
 File: Jesse2010/Ralph\_Butler\_LU\_03-04





121107C

**PUD Future Land Use Overlay**

City of Gainesville, FL

**PUD (~ 264 acres)**

**Subareas**



1

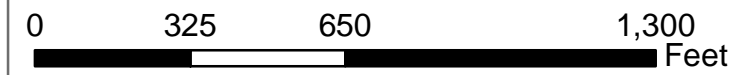


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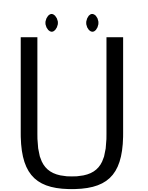


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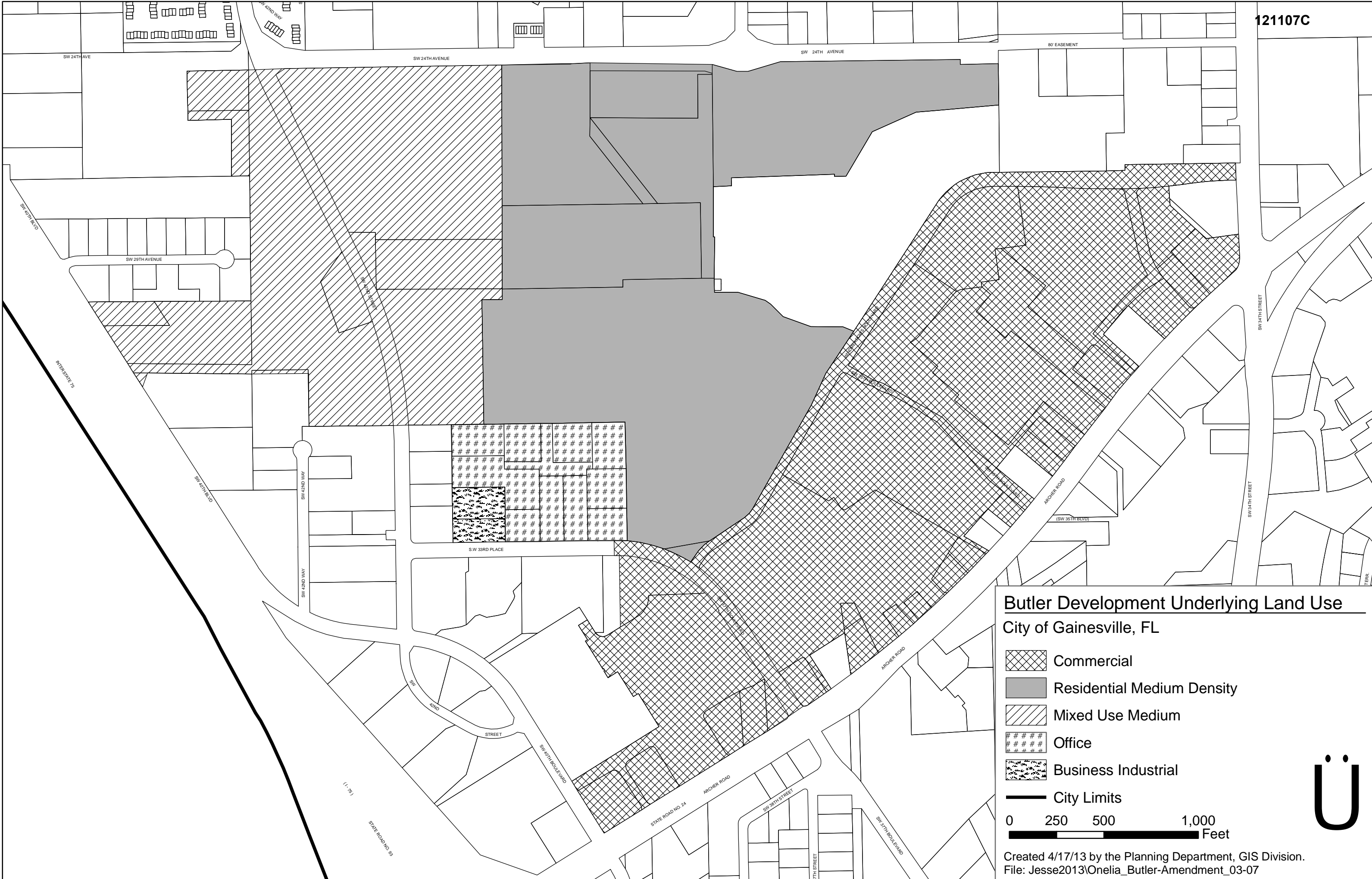
**— City Limits**



Created 3/4/10 by the Planning Department, GIS Division.  
File: Jesse2010/Ralph\_Butler\_LU\_03-04







**Exhibit B-3  
Map to be Deleted**

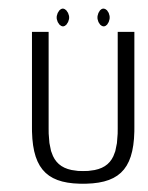
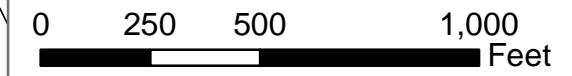


**Butler Development Underlying Land Use**

City of Gainesville, FL

-  Commercial
-  Residential Medium Density
-  Mixed Use Medium
-  Office
-  Business Industrial

 City Limits





SW 24TH AVENUE

SW 24TH AVENUE

121107C

SW 29TH AVENUE

SW 42ND STREET

SW 40TH BLVD

SW 42ND WAY

SW 42ND WAY

S.W. 33RD PLACE

(I-75)

STATE ROAD NO. 24

SW 42ND STREET

42ND

STREET

SW 40TH BOULEVARD

STATE ROAD NO. 24

ARCHER ROAD

SW 38TH STREET


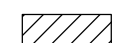


SW 37TH BOULEVARD

SW 34TH STREET

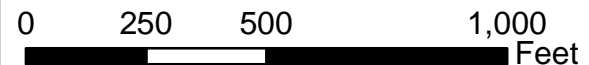
SW 34TH STREET

### Butler Development PUD Future Land Use Overlay City of Gainesville, FL

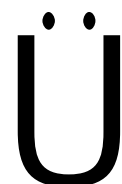
#### Subarea

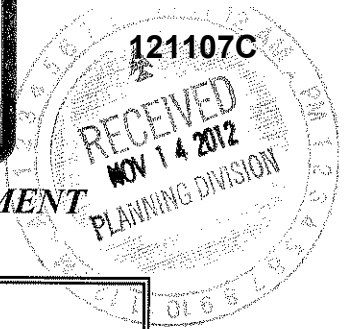
-  1
-  2
-  3
-  4

 City Limits



Created 4/16/13 by the Planning Department, GIS Division.  
File: Jesse2013/Onelia\_Butler-Amendment\_03-07





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

**OFFICE USE ONLY**

Petition No. PB-12-148 Fee: \$ 607.75  
 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) [ ]

Name of Applicant/Agent (Please print or type)	
Applicant/Agent Name: Causseaux, Hewett, & Walpole, Inc.	
Applicant/Agent Address: 132 NW 176th Drive	
City: Gainesville	
State: FL	Zip: 32607
Applicant/Agent Phone: (352) 331-1976	Applicant/Agent Fax: (352) 331-2476

*Note: It is recommended that anyone intending to file a petition for a text amendment to Chapter 30 of the City of Gainesville Code of Ordinances (Land Development Code) or to the Comprehensive Plan, meet with the Department of Community Development prior to filing the petition, in order to discuss the proposed amendment and petition process. The request will be evaluated as applicable to the particular zoning district or land use category on a citywide basis.*

**TEXT AMENDMENT**

**Check applicable request below:**

Land Development Code [ ]	Comprehensive Plan Text <input checked="" type="checkbox"/>	Other [ ]
Section/Appendix No.:	Element & Goal, Objective or Policy No.:	Specify:
	Future Land Use Element, Policy 4.3.6	

**Proposed text language and/or explanation of reason for request (use additional sheets, if necessary):**

Please see the Justification Report for specific text changes and explanation

**Certified Cashiers Receipt:**

NOV 14 2012

*[Signature]* *CK# 19939*





*Focused on Excellence  
Delivered with Integrity*

November 14, 2012

Mr. Erik Bredfeldt, AICP, Ph.D., Planning and Development Director  
City of Gainesville Planning & Development Services  
306 Northeast 6<sup>th</sup> Street  
Gainesville, FL 32601

Re: Comprehensive Plan Text Amendment  
Future Land Use Element Policy 4.3.6 (Butler Enterprises PUD)

Dear Mr. Bredfeldt:

On behalf of Butler Enterprises, Inc., Causseaux, Hewett, & Walpole, Inc. (CHW) submits this comprehensive plan text amendment application to amend Future Land Use Element Policy 4.3.6 which regulates the Butler Enterprises Planned Use District (PUD). This application is submitted in conjunction with a small-scale comprehensive plan amendment (SsCPA) application to add ±2.95 acres to the Butler Enterprises PUD. No additional entitlements will result from this application.

Please find attached the following items:

- The required City of Gainesville application;
- Affidavits authorizing CHW as agent with property records and tax roll documents;
- A check in the amount of \$607.75 for application fees;
- Neighborhood Workshop materials;
- A legal description for the subject properties;
- Six (6) copies of the comprehensive plan text amendment Justification Report.

We submit these items for your review and approval for the above referenced project. As you know, this text amendment application and the related SsCPA application are being submitted concurrently with the Butler Enterprises Planned Development rezoning application.

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 directly.

Sincerely,  
Causseaux, Hewett, & Walpole, Inc.

Gerry R. Dedenbach, AICP, LEED® AP  
Director of Planning & GIS Services

132 NW 76th Drive  
Gainesville, Florida 32607

Phone: (352) 331-1976  
Fax: (352) 331-2476  
www.chw-inc.com

G:\JOBS\Phased\_Projects\Butler\Planning\12-0296\Application\CPA\SsCPA\LTR\_Butler Text\_121114.doc

BELLAMY SF LAND TRUST  
 c/o JAMES R. NICI, TRUSTEE  
 1185 Immokalee Road, Suite 110  
 Naples, FL 33990  
 239-449-6152

August 20, 2012

***VIA FEDERAL EXPRESS DELIVERY ONLY***

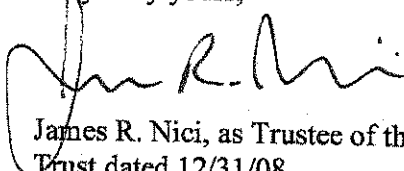
Eric Bredfeldt, Planning and Development Director  
 Scott A. Wright, Senior Planner  
 City of Gainesville  
 Planning Department  
 306 NE 6th Avenue  
 Thomas Center B  
 Gainesville, Florida 32601

*Re: Letter of Authorization for the Bellamy SF Land Trust dated 12/31/08*

Dear Mr. Bredfeldt and Mr. Wright:

I am the TRUSTEE of Bellamy SF Trust dated 12/31/08. I am writing to confirm that Gerry Dedenbach of Causseaux, Hewett & Walpole, Inc. is my agent to represent me for the continuing Comprehensive Plan, PUD, and PD Amendments on tax parcels 6798-005-000, 6798-007-000, 6801-000-000, and 6801-005-000, which are owned by this Land Trust.

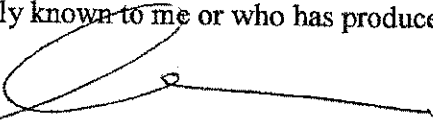
Very truly yours,



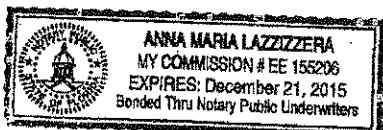
James R. Nici, as Trustee of the Bellamy SF Land  
 Trust dated 12/31/08

STATE OF FLORIDA  
 COUNTY OF COLLIER

Sworn to and subscribed before me this 20<sup>th</sup> day of August, 2012 by James R. Nici who is personally known to me or who has produced a driver's license as identification.

  
 \_\_\_\_\_  
 Signature of Notary Public

[Notary Seal]





**Butler**  
ENTERPRISES

2306 SW 13 Street  
Suite 1206  
Gainesville, FL 32608

P.O. Box 141105  
Gainesville, FL 32614

352/372-3581  
352/335-4711 fax

August 16, 2012

Eric Bredfeldt, Planning and Development Director  
Scott A. Wright, Senior Planner  
City of Gainesville  
Planning Department  
306 NE 6th Avenue  
Thomas Center B  
Gainesville, Florida 32601

Re: Letter of Authorization

Dear Mr. Bredfeldt and Mr. Wright:

I am the trustee of S. Clark Butler Properties Land Trust agreement dated December 10, 1998. I am writing to confirm that Gerry Dedenbach of Causseaux, Hewett & Walpole, Inc. is my agent to represent me for the continuing Comprehensive Plan, PUD, and PD Amendments on tax parcels:

6810-001-000	6810-001-021	6810-003-003	6798-003-000	6810-006-000
6810-001-009	6810-001-022	6803-001-000	6798-004-000	6810-008-000
6810-001-011	6810-001-023	6803-001-001	6798-006-000	6816-003-001
6810-001-016	6810-001-025	6810-002-000	6803-004-000	6816-005-001
6810-001-017	6800-008-000	6810-002-003	6810-001-002	6827-000-000
6810-001-018	6810-003-000	6795-000-000	6810-001-003	6827-002-000
6810-001-019	6810-003-001	6798-001-000	6810-002-001	6810-001-013
6810-001-020	6810-003-002	6798-002-000	6810-005-000	

which are owned by this Land Trust.

Sincerely,

S. Clark Butler Properties Land Trust  
Agreement Dated 12/10/98

Mary Jane Frederickson, Trustee

State of Florida

County of Palm Beach

Sworn to and subscribed before me this 20<sup>th</sup> day of August, 2012 by Mary Jane Frederickson who is personally known to me or who presented \_\_\_\_\_ as ID and who did  or did not  take an oath.

  
Signature of Notary Public

NOTARY PUBLIC  
MYRNA F. KASEMEYER  
MY COMMISSION # DD 978325  
EXPIRES: June 1, 2014  
Bonded thru Budget Notary Services



August 16, 2012

Eric Bredfeldt, Planning and Development Director  
Scott A. Wright, Senior Planner  
City of Gainesville  
Planning Department  
306 NE 5th Avenue  
Thomas Center B  
Gainesville, Florida 32601

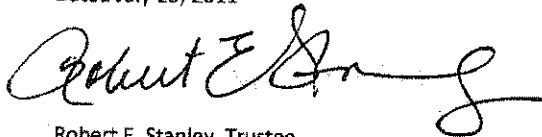
Re: Letter of Authorization

Dear Mr. Bredfeldt and Mr. Wright:

I am the trustee of Castleton Holdings Land Trust dated July 25, 2011 . I am writing to confirm that Gerry Dedenbach of Causseaux, Hewett & Walpole, Inc. is my agent to represent me for the continuing Comprehensive Plan, PUD, and PD Amendments on tax parcels 6801-006-000 and 6801-007-000, which are owned by this Land Trust.

Sincerely,

Castleton Holdings Land Trust  
Dated July 25, 2011

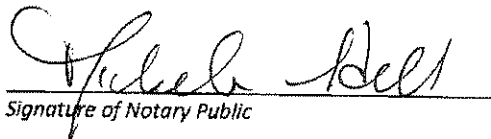
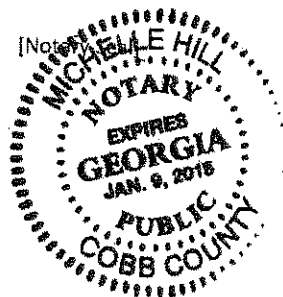


Robert E. Stanley, Trustee

State of Georgia

County of Fulton

Sworn to and subscribed before me this 17<sup>th</sup> day of August, 2012 by Robert E. Stanley who is personally known to me or who presented \_\_\_\_\_ as ID and who did  or did not  take an oath.

  
*Signature of Notary Public*

August 16, 2012

Eric Bredfeldt, Planning and Development Director  
Scott A. Wright, Senior Planner  
City of Gainesville  
Planning Department  
306 NE 6th Avenue  
Thomas Center B  
Gainesville, Florida 32601

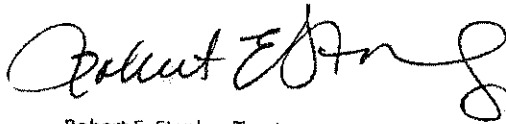
Re: Letter of Authorization

Dear Mr. Bredfeldt and Mr. Wright:

I am the trustee of Spindletop Holdings Land Trust Dated 11/15/11. I am writing to confirm that Gerry Dedenbach of Causseaux, Hewett & Walpole, Inc. is my agent to represent me for the continuing Comprehensive Plan, PUD, and PD Amendments on tax parcel 6810-003-005, which is owned by this Land Trust.

Sincerely,


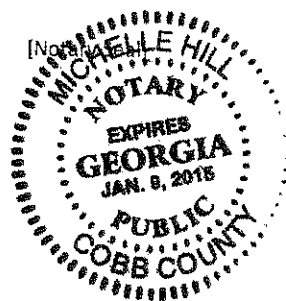
Spindletop Holdings Land Trust  
Dated 11/15/11



Robert E. Stanley, Trustee

State of Georgia  
County of Fulton

Sworn to and subscribed before me this 17<sup>th</sup> day of August, 2012 by Robert E. Stanley who is personally known to me or who presented \_\_\_\_\_ as ID and who did  or did not  take an oath.

  
\_\_\_\_\_  
Signature of Notary Public





*Butler*  
ENTERPRISES

August 16, 2012

2306 SW 13 Street  
Suite 1206  
Gainesville, FL 32608

P.O. Box 141105  
Gainesville, FL 32614

352/372-3581  
352/335-4711 fax

Eric Bredfeldt, Planning and Development Director  
Scott A. Wright, Senior Planner  
City of Gainesville  
Planning Department  
306 NE 6th Avenue  
Thomas Center B  
Gainesville, Florida 32601

Re: Letter of Authorization

Dear Mr. Bredfeldt and Mr. Wright:

I am the manager of Butler Development Company, LLC. I am writing to confirm that Gerry Dedenbach of Causseaux, Hewett & Walpole, Inc. is my agent to represent me for the continuing Comprehensive Plan, PUD, and PD Amendments on tax parcels 6810-003-004, 6810-002-004, 6810-002-005, 6810-002-006, and 6798-000-000, which are owned by this LLC.

Sincerely,

Butler Development Company, LLC

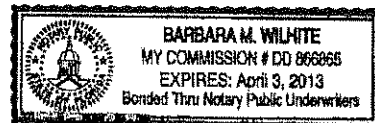
Deborah Butler  
Manager

State of FLORIDA

County of ALACHUA

Sworn to and subscribed before me this 17<sup>th</sup> day of August, 2012 by Deborah Butler who is personally known to me or who presented \_\_\_\_\_ as ID and who did \_\_\_ or did not  take an oath.

\_\_\_\_\_  
Signature of Notary Public



[Notary Seal]





*Butler*  
ENTERPRISES

August 16, 2012

2306 SW 13 Street  
Suite 1206  
Gainesville, FL 32608  
  
P.O. Box 141105  
Gainesville, FL 32614  
  
352/372-3581  
352/335-4711 fax

Eric Bredfeldt, Planning and Development Director  
Scott A. Wright, Senior Planner  
City of Gainesville  
Planning Department  
306 NE 6th Avenue  
Thomas Center B  
Gainesville, Florida 32601

Re: Letter of Authorization

Dear Mr. Bredfeldt and Mr. Wright:

I am the trustee of Catherine Butler Irrevocable Living Trust. I am writing to confirm that Gerry Dedenbach of Causseaux, Hewett & Walpole, inc. is my agent to represent me for the continuing Comprehensive Plan, PUD, and PD Amendments on tax parcel 6798-002-001, which is owned by this Living Trust.

Sincerely,

Catherine Butler Irrevocable Living Trust

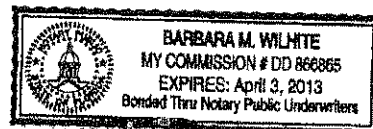
Deborah Butler, Trustee

State of FLORIDA

County of ALACHUA

Sworn to and subscribed before me this 17<sup>th</sup> day of August, 2012 by Deborah Butler who is personally known to me or who presented \_\_\_\_\_ as ID and who did \_\_\_ or did not  take an oath.

Signature of Notary Public



[Notary Seal]



# Zenyatta, LLC

August 16, 2012

Eric Bredfeldt, Planning and Development Director  
Scott A. Wright, Senior Planner  
City of Gainesville  
Planning Department  
306 NE 6th Avenue  
Thomas Center B  
Gainesville, Florida 32601

Re: Letter of Authorization

Dear Mr. Bredfeldt and Mr. Wright:

I am the manager of Zenyatta, LLC. I am writing to confirm that Gerry Dedenbach of Causseaux, Hewett & Walpole, Inc. is my agent to represent me for the continuing Comprehensive Plan, PUD, and PD Amendments on tax parcel 6810-001-014, which is owned by this LLC.

Sincerely,

Zenyatta, LLC



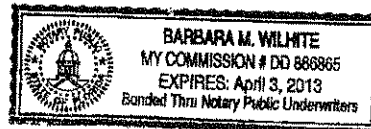
Deborah Butler  
Manager

State of FLORIDA

County of ALACHUA

Sworn to and subscribed before me this 17<sup>th</sup> day of August, 2012 by Deborah Butler who is personally known to me or who presented \_\_\_\_\_ as ID and who did \_\_\_\_\_ or did not  take an oath.

  
Signature of Notary Public



[Notary Seal]

ALL THAT CERTAIN, PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING A PORTION OF SECTION 14 AND SECTION 15, TOWNSHIP 10 SOUTH, RANGE 19 EAST OF THE TALLAHASSEE BASE MERIDIAN, ALACHUA COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT; COMMENCING FOR REFERENCE AT THE NORTHWEST CORNER OF SAID SECTION 14;

THENCE, BEARING NORTH 89°18'59" EAST, ALONG THE NORTH LINE OF SAID SECTION 14, A DISTANCE OF 3970.77 FEET TO A POINT;

THENCE, LEAVING SAID NORTH LINE, BEARING SOUTH 00°46'11" EAST, A DISTANCE OF 95.19 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 00°46' 11" EAST, A DISTANCE OF 237.58 FEET TO A POINT;

THENCE SOUTH 85°03'37" WEST, A DISTANCE OF 439.90 FEET A POINT;

THENCE SOUTH 65°38'38" WEST, A DISTANCE OF 253.93 FEET TO A POINT;

THENCE SOUTH 30°52'25" WEST, A DISTANCE OF 280.45 FEET TO A POINT;

THENCE SOUTH 87°21'28" WEST, A DISTANCE OF 64.98 FEET TO A POINT;

THENCE NORTH 02°38'41" WEST, A DISTANCE OF 12.00 FEET TO A POINT;

THENCE SOUTH 87°21'28" WEST, A DISTANCE OF 545.14 FEET TO A POINT;

THENCE SOUTH 02°39'31" EAST, A DISTANCE OF 42.09 FEET TO A POINT;

THENCE SOUTH 87°19'53" WEST, A DISTANCE OF 96.51 FEET TO A POINT;

THENCE SOUTH 00°37'13" EAST, A DISTANCE OF 266.80 FEET TO A POINT;

THENCE NORTH 89°22'49" EAST, A DISTANCE OF 6.50 FEET TO A POINT;

THENCE SOUTH 00°37'16" EAST, A DISTANCE OF 223.00 FEET TO A POINT;

THENCE SOUTH 89°22'44" WEST, A DISTANCE OF 15.00 FEET TO A POINT;

THENCE SOUTH 00°37'16" EAST, A DISTANCE OF 60.00 FEET TO A POINT;

THENCE NORTH 89°22'44" EAST, A DISTANCE OF 15.00 FEET TO A POINT;

THENCE, SOUTH 00°37'16" EAST, A DISTANCE OF 10.00 FEET A POINT;

THENCE, NORTH 89°19'10" EAST, A DISTANCE OF 125.08 FEET TO A POINT;

THENCE, SOUTH 74°07'07" EAST, A DISTANCE OF 149.34 FEET TO A POINT;

THENCE, SOUTH 55°00'59" EAST, A DISTANCE OF 36.41 FEET TO A POINT;

THENCE, SOUTH 45°34'18" EAST, A DISTANCE OF 92.17 FEET TO A POINT;

THENCE, SOUTH 71°04'16" EAST, A DISTANCE OF 155.36 FEET TO A POINT;

THENCE, NORTH 88°09'11" EAST, A DISTANCE OF 171.38 FEET TO A POINT;

THENCE, SOUTH 83°32'04" EAST, A DISTANCE OF 64.61 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF WINDMEADOWS BOULEVARD;

THENCE, BEARING NORTH 33°06'23" EAST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 799.28 FEET TO A POINT OF CURVATURE;

THENCE, ALONG A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 345.00 FEET, A CENTRAL ANGLE OF 56°17'13", A CHORD LENGTH OF 325.46 FEET BEARING NORTH 61°15'57" EAST;

THENCE, NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 338.93 FEET TO A POINT;

THENCE, BEARING NORTH 89°27'30" EAST, A DISTANCE OF 41.24 FEET TO A POINT OF CURVATURE;

THENCE, ALONG A CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES SOUTH 00°38'25" EAST, A RADIAL DISTANCE OF 5,525.10 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 03°27'28", A DISTANCE OF 333.43 FEET TO A POINT OF CURVATURE;

THENCE, ALONG A NON TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 5,450.10 FEET, A CENTRAL ANGLE OF 03°27'53", A CHORD LENGTH OF 329.51 FEET BEARING SOUTH 88°53'41" EAST; THENCE, EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 329.56 FEET TO A POINT OF CURVATURE;

THENCE, ALONG A NON TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 2,263.20 FEET, A CENTRAL ANGLE OF 02°28'19", A CHORD LENGTH OF 97.65 FEET BEARING NORTH 88°06'21" EAST; THENCE, EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 97.65 FEET TO A POINT;

THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE OF WINDMEADOWS BOULEVARD, BEARING NORTH 00°06'35" EAST, A DISTANCE OF 30.83 FEET TO A POINT;

THENCE, BEARING NORTH 87°37'10" EAST, A DISTANCE OF 491.07 FEET TO A POINT OF CURVATURE, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF SOUTHWEST 34TH STREET (STATE ROAD 121);

THENCE, ALONG A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES NORTH 88°43'37" EAST, A RADIAL DISTANCE OF 11,531.16 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 00°24'34", A DISTANCE OF 82.40 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE, LEAVING SAID WESTERLY RIGHT OF WAY LINE, ALONG A NON TANGENT CURVE CONCAVE SOUTHERLY AND ALONG THE SOUTH RIGHT OF WAY LINE OF WINDMEADOWS BOULEVARD, HAVING A RADIUS OF 2,263.20 FEET, A CENTRAL ANGLE OF 07°06'23", A CHORD LENGTH OF 280.53 FEET BEARING SOUTH 85°14'55" WEST; THENCE, WESTERLY ALONG THE THE ARC OF SAID CURVE, A DISTANCE OF 280.71 FEET TO A POINT OF CURVATURE; THENCE, ALONG A NON TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 2,338.20 FEET, A CENTRAL ANGLE OF 01°53'11", A CHORD LENGTH OF 76.98 FEET BEARING SOUTH 82°40'18" WEST; THENCE, WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 76.98 FEET TO A POINT; THENCE, LEAVING SAID SOUTHERLY RIGHT OF WAY LINE, BEARING SOUTH 03°44'53" EAST, A DISTANCE OF 104.06 FEET TO A POINT; THENCE, BEARING SOUTH 47°34'21" EAST, A DISTANCE OF 182.73 FEET TO A POINT; THENCE, BEARING SOUTH 47°28'11" EAST, A DISTANCE OF 77.03 FEET TO A POINT; THENCE, BEARING NORTH 81°54'47" EAST, A DISTANCE OF 171.24 FEET TO A POINT OF CURVATURE ON THE WESTERLY RIGHT OF WAY LINE OF SAID SOUTHWEST 34TH STREET (STATE ROAD 121); THENCE ALONG A NON TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 11,531.16 FEET, A CENTRAL ANGLE OF 00°34'58", A CHORD LENGTH OF 117.31 FEET BEARING SOUTH 03°24'25" EAST; THENCE, SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 117.31 FEET TO A POINT OF CURVATURE; THENCE, ALONG A NON TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 116.25 FEET, A CENTRAL ANGLE OF 36°56'34", A CHORD LENGTH OF 73.66 FEET BEARING SOUTH 14°51'17" WEST; THENCE, SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 74.95 FEET TO A POINT OF CURVATURE ON THE NORTH RIGHT OF WAY LINE OF SOUTHWEST ARCHER ROAD (STATE ROAD No. 24); THENCE, ALONG A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 5,807.58 FEET, A CENTRAL ANGLE OF 05°12'20", A CHORD LENGTH OF 527.45 FEET BEARING SOUTH 46°08'50" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 527.63 FEET TO A POINT; THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 47°39'11" WEST, A DISTANCE OF 259.91 FEET TO A POINT OF CURVATURE; THENCE, ALONG A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 449.91 FEET, A CENTRAL ANGLE OF 07°26'33", A CHORD LENGTH OF 58.40 FEET, BEARING SOUTH 43°19'52" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 58.44 FEET TO A POINT; THENCE, BEARING SOUTH 39°36'37" WEST, A DISTANCE OF 141.76 FEET TO A POINT; THENCE, BEARING SOUTH 47°39'11" EAST, A DISTANCE OF 253.41 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SOUTHWEST ARCHER ROAD; THENCE, RUNNING SOUTHWESTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SOUTHWEST ARCHER ROAD (STATE ROAD No. 24), THE FOLLOWING THREE (3) COURSES;

1. THENCE, ALONG A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 5,807.58 FEET, A CENTRAL ANGLE OF 01°39'20", A CHORD LENGTH OF 167.81 FEET BEARING SOUTH 40°44'36" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 167.82 FEET TO A POINT OF CURVATURE;
2. THENCE, ALONG A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 5,301.68 FEET, A CENTRAL ANGLE OF 04°11'27", A CHORD LENGTH OF 387.70 FEET, BEARING SOUTH 37°49'13" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 387.79 FEET TO A POINT;
3. THENCE, ALONG A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 5,170.68 FEET, A CENTRAL ANGLE OF 02°02'26", A CHORD LENGTH OF 184.13 FEET, BEARING SOUTH 36°49'36" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 184.14 FEET TO A POINT;

THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 50°23'23" WEST, A DISTANCE OF 257.05 FEET TO A POINT; THENCE, BEARING SOUTH 39°40'19" WEST, A DISTANCE OF 153.99 FEET TO A POINT; THENCE, BEARING SOUTH 50°16'53" EAST, A DISTANCE OF 259.66 FEET TO A POINT OF NON-TANGENT CURVATURE AND BEING ON THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHWEST ARCHER ROAD; THENCE, RUNNING SOUTHWESTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHWEST ARCHER ROAD (STATE ROAD No. 24), AND ALONG A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 5,679.58 FEET, A CENTRAL ANGLE OF 01°57'53", A CHORD LENGTH OF 194.74 FEET, BEARING SOUTH 40°30'58" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 194.75 FEET TO A POINT; THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 50°35'35" WEST, A DISTANCE OF 152.46 FEET TO A POINT; THENCE, BEARING SOUTH 41°31'51" WEST, A DISTANCE OF 194.61 FEET TO A POINT; THENCE, BEARING SOUTH 60°05'24" EAST, A DISTANCE OF 153.06 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHWEST ARCHER ROAD;

THENCE, SOUTHWESTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHWEST ARCHER ROAD (STATE ROAD No. 24)  
 THENCE, ALONG A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 5,679.58 FEET, A CENTRAL ANGLE OF 03°42'19", A CHORD LENGTH OF 367.24 FEET BEARING SOUTH 45°04'47" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 367.30 FEET TO A POINT;  
 THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 43°28'20" WEST, A DISTANCE OF 110.15 FEET TO A POINT;  
 THENCE, BEARING SOUTH 55°55'38" WEST, A DISTANCE OF 65.00 FEET TO A POINT;  
 THENCE, BEARING SOUTH 46°31'40" WEST, A DISTANCE OF 30.86 FEET TO A POINT;  
 THENCE, BEARING SOUTH 43°28'20" EAST, A DISTANCE OF 119.38 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHWEST ARCHER ROAD;  
 THENCE, ALONG A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 5,679.58 FEET, A CENTRAL ANGLE OF 03°23'09", A CHORD LENGTH OF 335.58 FEET BEARING SOUTH 49°35'01" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 335.63 FEET TO A POINT;  
 THENCE, LEAVING SAID RIGHT OF WAY LINE, BEARING NORTH 25°36'36" WEST, A DISTANCE OF 294.09 FEET TO A POINT;  
 THENCE, BEARING SOUTH 89°14'28" WEST, A DISTANCE OF 73.00 FEET TO A POINT;  
 THENCE, BEARING SOUTH 07°56'34" EAST, A DISTANCE OF 158.67 FEET TO A POINT;  
 THENCE, BEARING SOUTH 57°39'11" WEST, A DISTANCE OF 219.24 FEET TO A POINT;  
 THENCE, BEARING SOUTH 32°20'49" EAST, A DISTANCE OF 212.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHWEST ARCHER ROAD;  
 THENCE, ALONG A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 5,679.58 FEET, A CENTRAL ANGLE OF 01°33'13", A CHORD LENGTH OF 154.00 FEET BEARING SOUTH 55°13'02" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 154.00 FEET TO A POINT OF CURVATURE;  
 THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, ALONG A NON TANGENT CURVE CONCAVE NORTH, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00", A CHORD LENGTH OF 35.36 FEET BEARING NORTH 79°00'00" WEST; THENCE, WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 39.27 FEET TO A POINT;  
 THENCE, BEARING NORTH 34°00'00" WEST, A DISTANCE OF 217.69 FEET TO A POINT;  
 THENCE, BEARING SOUTH 56°38'25" WEST, A DISTANCE OF 85.01 FEET TO A POINT;  
 THENCE, BEARING SOUTH 03°35'48" EAST, A DISTANCE OF 276.27 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHWEST ARCHER ROAD;  
 THENCE, ALONG SAID NORTHERLY RIGHT OF WAY LINE, BEARING SOUTH 57°58'54" WEST, A DISTANCE OF 1,020.22 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF S.W. 40TH BOULEVARD;  
 THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 32°01'03" WEST, A DISTANCE OF 324.00 FEET TO A POINT;  
 THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 57°58'54" EAST, A DISTANCE OF 545.50 FEET TO A POINT;  
 THENCE, BEARING NORTH 32°01'06" WEST, A DISTANCE OF 207.00 FEET TO A POINT;  
 THENCE, BEARING SOUTH 57°58'54" WEST, A DISTANCE OF 31.50 FEET TO A POINT;  
 THENCE, BEARING NORTH 32°01'06" WEST, A DISTANCE OF 156.50 FEET TO A POINT;  
 THENCE, BEARING SOUTH 57°58'54" WEST, A DISTANCE OF 60.92 FEET TO A POINT;  
 THENCE, BEARING NORTH 32°01'06" WEST, A DISTANCE OF 41.92 FEET TO A POINT;  
 THENCE, BEARING NORTH 57°58'54" EAST, A DISTANCE OF 6.42 FEET TO A POINT;  
 THENCE, BEARING NORTH 32°01'06" WEST, A DISTANCE OF 10.00 FEET TO A POINT;  
 THENCE, BEARING SOUTH 57°58'54" WEST, A DISTANCE OF 4.92 FEET TO A POINT;  
 THENCE, BEARING NORTH 32°01'06" WEST, A DISTANCE OF 175.58 FEET TO A POINT;  
 THENCE, BEARING NORTH 57°58'54" EAST, A DISTANCE OF 13.40 FEET TO A POINT;  
 THENCE, BEARING NORTH 32°01'06" WEST, A DISTANCE OF 90.00 FEET TO A POINT;  
 THENCE, BEARING NORTH 57°58'54" EAST, A DISTANCE OF 55.00 FEET TO A POINT;  
 THENCE, BEARING SOUTH 32°01'06" EAST, A DISTANCE OF 80.00 FEET TO A POINT OF CURVATURE;  
 THENCE, ALONG A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 45.00 FEET, A CENTRAL ANGLE OF 90°00'00"; A CHORD LENGTH OF 63.64 FEET BEARING SOUTH 77°01'06" EAST; THENCE, EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 70.69 FEET TO A POINT;  
 THENCE, BEARING NORTH 57°58'54" EAST, A DISTANCE OF 82.70 FEET TO A POINT;  
 THENCE, BEARING NORTH 00°25'02" WEST, A DISTANCE OF 379.11 FEET TO A POINT OF CURVATURE ON THE SOUTH RIGHT OF WAY LINE OF S.W. 39TH PLACE;  
 THENCE, ALONG A NON TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 660.00 FEET, A CENTRAL ANGLE OF 02°36'48", A CHORD LENGTH OF 30.10 FEET BEARING NORTH 89°30'16" WEST; THENCE, WESTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 30.10 FEET TO A POINT;

THENCE, BEARING NORTH 00°48'40" WEST, A DISTANCE OF 80.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF S.W. 33RD PLACE;  
 THENCE, BEARING SOUTH 89°11'03" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 581.50 FEET TO A POINT;  
 THENCE, LEAVING SAIND NORTH RIGHT OF WAY LINE, BEARING NORTH 00°45'12" WEST, A DISTANCE OF 293.31 FEET TO A POINT;  
 THENCE, BEARING SOUTH 89°11'03" WEST, A DISTANCE OF 270.22 FEET TO A POINT;  
 THENCE, BEARING NORTH 00°45'12" WEST, A DISTANCE OF 333.01 FEET TO A POINT;  
 THENCE, BEARING SOUTH 89°07'56" WEST, A DISTANCE OF 759.98 FEET TO A POINT;  
 THENCE, BEARING NORTH 00°38'26" WEST, A DISTANCE OF 281.64 FEET TO A POINT;  
 THENCE, BEARING SOUTH 89°10'24" WEST, A DISTANCE OF 294.44 FEET TO A POINT;  
 THENCE, BEARING SOUTH 89°32'35" WEST, A DISTANCE OF 557.43 FEET TO A POINT OF CURVATURE;  
 THENCE, SOUTHWESTERLY, WITH A CURVE CONCAVE SOUTHEASTERLY, SAID CURVE HAVING A RADIUS OF 34.26 FEET, THROUGH A CENTRAL ANGLE OF 122°14'03", AN ARC LENGTH OF 73.09 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 28°25'45" WEST, 60.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SOUTHWEST 40TH BOULEVARD;  
 THENCE, ALONG SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 32°41'44" WEST, A DISTANCE OF 121.19 FEET TO A POINT;  
 THENCE, BEARING NORTH 32°40'44" WEST, A DISTANCE OF 246.37 FEET TO A POINT;  
 THENCE, BEARING NORTH 32°42'29" WEST, A DISTANCE OF 149.89 FEET TO A POINT;  
 THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 89°34'20" EAST, A DISTANCE OF 861.90 FEET TO A POINT;  
 THENCE, BEARING NORTH 00°40'37" WEST, A DISTANCE OF 662.98 FEET TO A POINT;  
 THENCE, BEARING SOUTH 89°30'54" WEST, A DISTANCE OF 94.00 FEET TO A POINT;  
 THENCE, BEARING NORTH 00°40'37" WEST, A DISTANCE OF 300.62 FEET TO A POINT;  
 THENCE, BEARING NORTH 87°39'32" WEST, A DISTANCE OF 229.86 FEET TO A POINT;  
 THENCE, BEARING NORTH 00°34'40" WEST, A DISTANCE OF 50.06 FEET TO A POINT;  
 THENCE, BEARING NORTH 02°57'14" EAST, A DISTANCE OF 199.88 FEET TO A POINT;  
 THENCE, BEARING NORTH 89°20'25" EAST, A DISTANCE OF 310.04 FEET TO A POINT;  
 THENCE, BEARING NORTH 00°37'01" EAST, A DISTANCE OF 98.97 FEET TO A POINT;  
 THENCE, BEARING SOUTH 20°27'52" EAST, A DISTANCE OF 105.21 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF S.W. 24TH AVENUE;  
 THENCE, BEARING NORTH 86°08'15" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 183.64 FEET TO A POINT;  
 THENCE, BEARING NORTH 89°19'16" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 1482.32 FEET TO A POINT OF CURVATURE;  
 THENCE, EASTERLY, ALONG THE SOUTH RIGHT OF WAY LINE OF S.W. 24TH AVENUE, ALONG A CURVE CONCAVE NORTHERLY, SAID CURVE HAVING A RADIUS OF 17,228.73 FEET, THROUGH A CENTRAL ANGLE OF 00°15'07", AN ARC LENGTH OF 75.76 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 89°25'25" EAST, 75.76 FEET TO A POINT;  
 THENCE, BEARING SOUTH 89°29'51" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 679.34 FEET TO A POINT;  
 THENCE, BEARING SOUTH 75°08'20" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 135.36 FEET TO A POINT;  
 THENCE, BEARING NORTH 89°18'56" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 60.00 FEET TO A POINT;  
 THENCE, BEARING NORTH 73°48'38" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 175.30 FEET TO A POINT;  
 THENCE, BEARING NORTH 89°18'56" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 487.58 FEET TO A POINT OF CURVATURE;  
 THENCE, EASTERLY ALONG SAID RIGHT OF WAY LINE WITH A CURVE CONCAVE NORTHERLY, SAID CURVE HAVING A RADIUS OF 4337.18 FEET, THROUGH A CENTRAL ANGLE OF 05°15'24", AN ARC LENGTH OF 397.91 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 86°42'42" EAST, 397.77 FEET TO A POINT;  
 THENCE, BEARING NORTH 84°03'22" EAST, A DISTANCE OF 69.33 FEET TO A POINT;  
 THENCE, SOUTH 00°46'11" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 24.52 FEET TO A POINT;  
 THENCE, NORTH 89°18'59" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 202.06 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 11,482,561 SQUARE FEET OR 263.60 ACRES MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

**Together with:**Tax Parcel 06801-006-000

Commence at the Southeast corner of the Southwest quarter of the Northwest Quarter (SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ) of Section 14, Township 10 South, Range 19 East, Alachua County, Florida; thence run West 270.57 feet; thence run North 166.65 feet; thence run East 270.46 feet; thence run South 166.65 feet to the point of beginning. The same being parcel number four (4) of an unrecorded survey made by the Perry C. McGriff Company, Inc., Surveyors of Gainesville, Florida, and dated January 6, 1965.

LESS AND EXCEPT a parcel of land situated in Section 14, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

For a Point of Reference commence at the Northwest corner of the Southwest quarter of said Section 14; thence run along the North line of the South half of said Section 14 North  $89^{\circ}11'20''$  East, a distance of 1,055.32 feet to the POINT OF BEGINNING; thence run North  $01^{\circ}16'40''$  West, a distance of 40.00 feet; then run North  $89^{\circ}11'20''$  East, a distance of 270.39 feet; thence run South  $01^{\circ}16'40''$  East, a distance of 40.00 feet to the aforesaid North line of the South half of said Section 14; thence run along said North line South  $89^{\circ}11'20''$  West, a distance of 270.39 feet to the POINT OF BEGINNING. Containing 0.248 acres, (or 10,802.21 square feet), more or less.  
(Source: Official Records Book 4051 Page 1415)

Tax Parcel 06801-007-000

Commence at the Southeast corner of the Southeast One-Quarter of the Southwest One-Quarter (SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ) of the Northwest One-Quarter (NW  $\frac{1}{4}$ ) of Section 14, Township 10 South, Range 19 East, and run North a distance of 166.65 feet to the Point of Beginning; thence run North 166.65 feet; thence run West 270.34 feet; then run South 166.65 feet; thence run East 270.46 feet to the Point of Beginning, said tract of land also known as Parcel #3 of unrecorded survey prepared by Perry C. McGriff on January 6, 1965.  
(Source: Official Records Book 4079 Page 1520)

Tax Parcels 06803-001-000 and 06803-001-001

Commence at the Northwest corner of the Southeast Quarter of Section 14, Township 10 South, Range 19 East, and run South 305 feet; thence run East 427 feet to the Point of Beginning; thence run South 6 degrees 52 minutes East 381.2 feet to the North right-of-way line of State Highway Number 24; thence run Northeasterly along said Highway 185 feet; thence run North 24 degrees 35 minutes West 294.2 feet; thence run West 73 feet to the Point of Beginning, being more accurately described as follows:

Commence at the Northwest corner of the Southeast quarter of Section 14, Township 10 South, Range 19 East and run South 305 feet; thence East 427 feet to the Point of Beginning; thence run South  $06^{\circ}52'00''$  East, 381.20 feet to the North right-of-way line of State Road No. 24; thence run Northeasterly along said right-of-way line with a curve concave Northwesterly, said curve having central angle of  $01^{\circ}52'50''$ , a radius of 5679.58 feet, an arc length of 186.42 feet and a chord bearing and distance of North  $53^{\circ}28'53''$  East 186.42 feet to the Southwest corner of that parcel as described in Deed Book 261, Page 469, at the Public Records of Alachua County, Florida, thence run North  $24^{\circ}35'00''$  West, along the West line of said parcel 294.20 feet to the Northwest corner thereof; thence run West 73.00 feet to the Point of Beginning.

ALSO DESCRIBED AS FOLLOWS:



## PARCEL A:

A parcel of land lying in Section 14, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

For a point of reference commence at the Northwest corner of the Southeast Quarter (SE ¼) of said Section 14 and run South 305.00 feet; thence run East 427.00 feet, thence run South 06° 52' 00" East, a distance of 141.89 feet to the Point of Beginning; thence continue South 06° 52' 00" East, a distance of 240.00 feet to a point on the North right of way line of State Road No. 24 and lying on a curve concave Northwesterly and having a radius of 5679.58 feet; thence run Northeasterly, along said right of way line and along the arc of said curve, through a central angle of 01° 52' 50", an arc distance of 186.42 feet and a chord bearing and distance of North 53° 16' 13" East, 186.41 feet; thence run North 24° 32' 41" West, departing from said right of way line, a distance of 212.93 feet; thence run South 53° 16' 13" West, a distance of 111.85 feet to the Point of Beginning.

## PARCEL B:

A parcel of land lying in Section 14, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

For a point of reference commence at the Northwest corner of the Southeast Quarter (SE ¼) of said Section 14 and run South 305.00 feet; thence run East 427.00 feet to the Point of Beginning; thence run South 06° 52' 00" East, a distance of 141.89 feet; thence run North 53° 16' 13" East, a distance of 111.85 feet; thence run North 24° 32' 41" West, a distance of 80.90 feet; thence run North 89° 41' 27" West, a distance of 73.00 feet to the Point of Beginning.  
(Source: Official Records Book 4023 Page 1231)

Tax Parcel 06803-004-000

A parcel of land situated in Section 14, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

For a point of reference commence at the Northwest corner of the Southwest ¼ of said Section 14; thence run along the North line of the South ½ of said Section 14, North 89° 11' 20" East, a distance of 2231.17 feet; thence run South 03° 05' 27" East, a distance of 309.08 feet; thence run North 89° 01' 23" East, a distance of 430.87 feet; thence run South 03° 35' 46" East, a distance of 397.97 feet to the Point of Beginning; thence run South 34° 00' 00" East, a distance of 216.99 feet to a Point of Curvature of a curve concave Northwesterly having a radius of 25 feet; thence run Southwesterly along the arc of said curve through a central angle of 91° 22' 02", an arc distance of 39.87 feet and a chord bearing and distance of South 11° 41' 01" West, 35.77 feet to a point of a compound curvature of a curve concave Northwesterly and having a radius of 5,679.58 feet, said point being situated on the Northwesterly right of way line of Archer Road (State Road No. 24); thence run Southwest along said right of way line along the arc of said curve through a central angle of 00° 36' 52", an arc distance of 60.90 feet and a chord bearing and distance of South 57° 40' 28" West, 60.90 feet; thence continue along said right of way South 57° 58' 54" West, a distance of 53.45 feet; thence run North 03° 35' 46" West, a distance of 276.37 feet to the Point of Beginning.  
(Source: Official Records Book 4127 Page 596)



**APPLICATION—CITY PLAN BOARD—TEXT AMENDMENT**  
**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 [ ]	

Name of Applicant/Agent (Please print or type)	
Applicant/Agent Name: Robert E Doan / Roy H Lambert Jr	
Applicant/Agent Address: PO Box 5125	
City: Gainesville	
State: Florida	Zip: 32627
Applicant/Agent Phone: 352-337-8373	Applicant/Agent Fax: 352-505-6188

*Note: It is recommended that anyone intending to file a petition for a text amendment to Chapter 30 of the City of Gainesville Code of Ordinances (Land Development Code) or to the Comprehensive Plan, meet with the Department of Community Development prior to filing the petition, in order to discuss the proposed amendment and petition process. The request will be evaluated as applicable to the particular zoning district or land use category on a citywide basis.*

**TEXT AMENDMENT**

Check applicable request below:

Land Development Code [ ]	Comprehensive Plan Text [x]	Other [ ]
Section/Appendix No.:	Element & Goal, Objective or Policy No.:	Specify:
	Future Land Use Element	
	Policy 4.3.6	

**Proposed text language and/or explanation of reason for request (use additional sheets, if necessary):**

See Justification Report

**Certified Cashiers Receipt:**



AFFIDAVIT

121107C

Regency Windmeadows Limited Partnership

Owner(s)

Application Number

Robert E. Doan, Esq. and/or Roy H. Lambert, Jr.

Appointed Agent(s)

06810-001-001

Parcel Number(s)

14

Section

10S

Township

19E

Range

Comprehensive Plan Amendments, Rezoning, and Development Plan Approvals

Type of Request

I (we), the property owner(s) of the subject property, being duly sworn, depose and say the following:

1. That I am (we are) the owner(s) and record title holder(s) of the property described in the attached legal description;
2. That this property constitutes the property for which the above noted land use request is being made to the City of Gainesville City Commissioners;
3. That I (we), the undersigned, have appointed, and do appoint, the above noted person(s) as my (our) agent(s) to execute any agreement(s), and other documents necessary to effectuate such agreement(s) in the process of pursuing the aforementioned land use request;
4. That this affidavit has been executed to induce the City of Gainesville City Commissioners to consider and act on the subject request;
5. That I (we), the undersigned authority, hereby certify that the foregoing statements are true and correct.

*[Signature]*  
Owner (Signature)

*[Signature]*  
Owner (Signature)

STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

SWORN AND SUBSCRIBED BEFORE ME THIS 21st DAY  
OF JANUARY, 2013

BY ROY H. LAMBERT, GENERAL PARTNER OF REGENCY  
WINDMEADOWS LIMITED PARTNERSHIP,  
WHO IS PERSONALLY KNOWN TO ME.



*[Signature]*  
NEAL R. LOHUIS

Name of Notary typed, printed or stamped

EE 51576

Commission Number