

Re: FLUM Amendment for Phalanx Defense Systems
Agenda Item 160122 for July 21 City Commission Hearing

From: Al Hadeed



Dear Mr. Mayor and Commissioners:

I am writing about the FLUM Amendment proposed to accommodate Phalanx Defense Systems moving into the Army Reserve property. I own a residence at 582 NE 11th Street, within sight of the Armory Reserve property.

Let me reiterate what I have said publicly and in writing to you. I am in full support of the plan for Phalanx. I applaud the City for getting the deed from the DOD and for finding an adaptive reuse of the building appropriate to the surrounding neighborhoods and also in keeping with its historical role. I am pleased too with the plans for Reserve Park, and especially Phalanx's willingness to provide a wide swath from NE 8th Avenue to the Park for alternative public access and more protected green space.

My daughter, Kristen Hadeed, is the principal occupant at our house on NE 11th Street. For my wife and myself, it is our second home. Kristen, probably best known for founding Student Maid, sent you a video of her remarks because she will be out of state at the time of the hearing. She likewise supports Phalanx but shares my concern about the land use designations being made for the City's Armory project to accommodate Phalanx's relocation.

The land use considerations should be treated with the same seriousness as the financial arrangements. It should not be just a convenient land use selection because that selection will govern the property should Phalanx leave some day. The financial deal worked out by City staff and yourselves is indeed strategic but the land use designation recommended by staff opens the door to some future uses that are not beneficial to neighborhood stability and revitalization in this particular area of the City. We are discussing here not Phalanx's use of the property but rather "life after Phalanx," when potentially the property changes hands and is redeveloped should Phalanx leave the site. Phalanx will be the property owner and it may choose for business or other reasons to sell the property.

The important point left open at the last City Commission hearing was whether Phalanx, as the property owner, is OK with the proposed limiting conditions on the land use. They are in fact OK with such conditions. You can validate this with a question at the hearing.

The limiting conditions would prevent the property from having towers in excess of 100 feet, gasoline service stations and fuel pumps, construction companies in all of the trades, including general contracting, electrical, plumbing, painting, and other inconsistent uses. In the abstract, these are not necessarily bad uses and they would

be required to comply with other LDC requirements in any event. However, for this particular area they would reduce the feel of a vibrant neighborhood. They would instead signal surrender of the neighborhoods to more commercial type uses that are not connected to and are not integrated with the neighborhoods. They would simply not be compatible. There would be no sense of an upswing in the neighborhoods but the opposite sense of further marginalization.

If this is such a sound idea to limit the uses, why wasn't it done? Staff believed it had a limited choice, doing a PD, where they could have expressly limited the uses. But they don't want to do that now because it would really delay the project. I agree. It is my position that a PD is not advisable, nor necessary. Phalanx would likely not find a PD acceptable since it is taking title to the property and a PD would limit the universe of potential buyers should at some point in the future they want to part with the property. Of course, with Phalanx having to live with a bottom line and production schedules in their private sector world, Phalanx also certainly would not want any further delay or expense in this process with the City. And from a best practices planning approach, this property is too small for a PD.

Not being able to use a PD is not the end of the thinking. The City Commission could have a parcel specific limiting condition as part of its approval of the FLUM Amendment. What is that? It is a condition stated in the motion for approval that also makes its way into the ordinance. It is simply stating – “ approve the FLUM Amendment subject to the parcel specific limiting condition that xyz uses will not be permitted for the reason of protecting the character of the surrounding neighborhoods and the need to promote their revitalization. “

I know that the staff has not done this before. However, it is a legal and acceptable land use technique. For FLUM actions you have the widest legislative discretion. This is a one-time use of the technique tailored to address the unique status and character of the surrounding neighborhoods. Your staff has not told me that your comp plan or LDC prohibits this technique. They have only told me that they do not use it. The state reviewing agencies have accepted limiting conditions and I have provided examples from another jurisdiction.

The wording of the motion to carry this out, I suggest, would be as follows:

Motion to approve the FLUM Amendment proposed by staff subject to the parcel specific limiting condition that the following uses shall not be permitted based on the character of the surrounding neighborhoods and the need to promote their revitalization:

Outparcels; Community Residential Homes with more than 14 residents; Building construction – General contractors and operative builders; Plumbing, heating and air conditioning; Painting and paper hangars; Electrical work; Gasoline service stations; Automobile parking as a principle use; Accessory gasoline and alternative fuel pumps; Accessory transmission, retransmission and microwave towers over

100 feet in height; Rehabilitation centers; Residences for destitute people; and Social Service homes.

I have talked to a number of individuals that reside in the neighborhoods and others within the community. I know my email has circulated widely laying out this argument and specifying the limited uses. No one who is not a member of staff has said these are unwise or improper limitations. I have been copied on three emails sent to you by residents that express support for the limitations. Importantly, Phalanx supports these limitations.

The non-residential uses I am seeking to exclude are not compatible with the surrounding predominate neighborhood land use. It must be remembered that NE 8th Avenue east from Main Street and the historic Duck Pond area to Waldo Road is not a business corridor except for a few blocks at the ends. The corridor is overwhelmingly residential.

Further, this new property in MUL will directly and substantially adjoin the future Reserve Park. The Park definitely adds to the neighborhood feel and makes it even more difficult to imagine that the excluded uses would be appropriate adjacent to a major new neighborhood park.

Then there is the fact of blighted or near blighted conditions that prevail in the area. As stated by staff, this particular property is within the Innovation Zone, which also includes a substantial part of the surrounding neighborhoods south of NE 8th Avenue. The property also is in an enterprise zone that likewise includes a substantial part of the neighborhoods. The Innovation Zone at Policy 2.2.5 of your FLUE requires the City to ensure that negative impacts are minimized "particularly with respect to adjacent residential areas."

Objective 2.1 of your FLUE provides that "redevelopment" (which would be what follows use of the property after Phalanx leaves it some day in the future) should promote "vibrant urbanism" and "improve the condition of blighted areas." These uses are not conducive to a pedestrian scale and are not uses that are integrally related to the neighborhoods, as are other MUL/Mu-1 uses. They are not harmonious with neighborhood uses. The excluded uses would in effect marginalize the neighborhoods and do nothing to reverse blight.

Addressing the exclusions of community residential homes and social welfare housing, the concern is that the existing neighborhoods already have an abundance of subsidized and social welfare type housing. Allowing them at this location on NE 8th Avenue would increase their concentration to the detriment of private investments being made to improve the neighborhoods.

In summary, the land use actions had to be expedited to meet the schedule of Phalanx moving out of its current location at the airport and giving it enough time to rehab the building. I think in that process an overly broad land use change was

sought by the City staff. Uses that deter single-family investment or real estate activity that would hinder the revitalization of the surrounding neighborhoods should be excluded in the public interest.

I have attached for your reference the proposed land use map from staff highlighting the overwhelming amount of single-family land use surrounding the Armory Reserve. I also have included the three emails I was copied on supporting the limiting condition on the FLUM amendment. And finally, I have attached examples of limiting conditions adopted by one local government for which I had no role in procuring.

Thank you for your consideration.

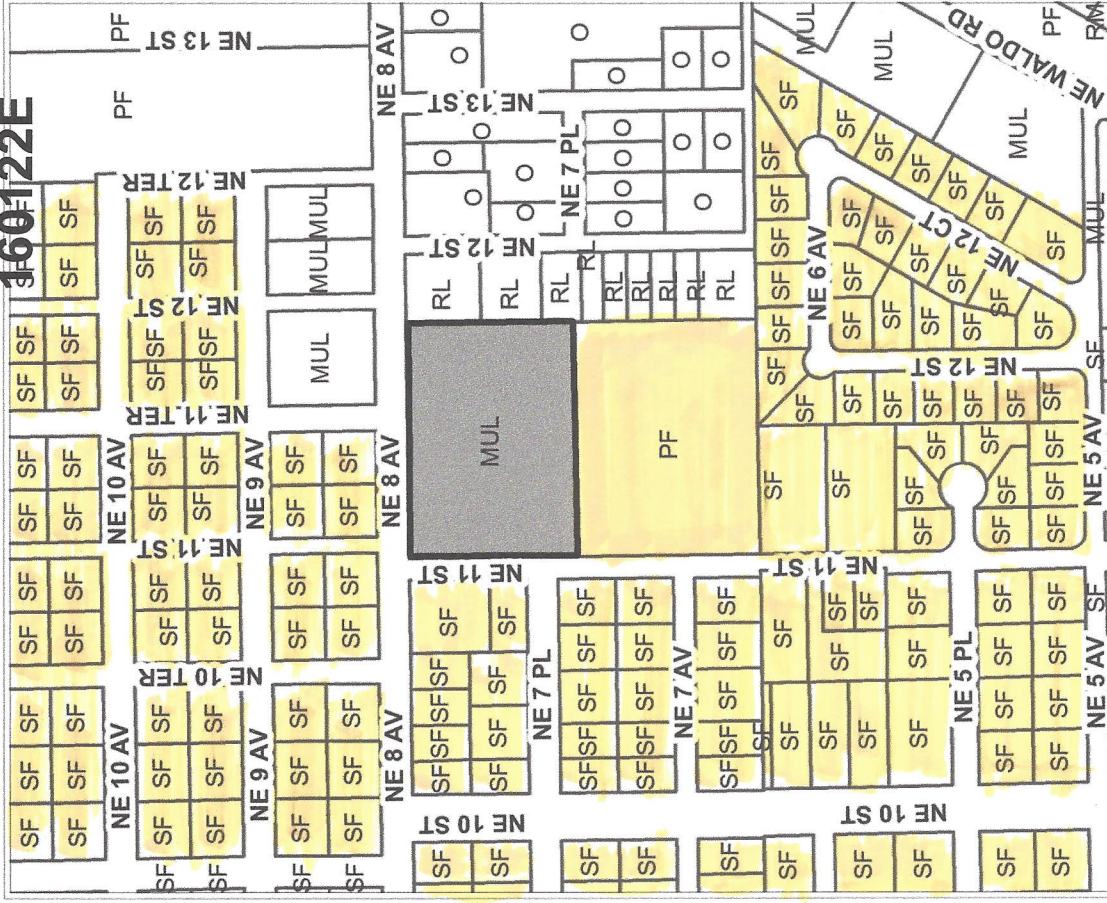
Post Script:

As you may know I filed a request for a formal quasi-judicial hearing on the proposed rezoning that accompanies this FLUM Amendment. If the City Commission approves the limiting condition on the FLUM amendment, I will relinquish my request for a formal hearing on the rezoning and otherwise have no part on that agenda matter unless requested by the Commission, staff or Phalanx.

160122E

Land Use Designations

- SF Single Family (up to 8 du/acre)
- RL Residential Low Density (up to 12 du/acre)
- RM Residential Medium Density (8-30 du/acre)
- MUL Mixed Use Low Intensity (8-30 du/acre)
- O Office
- PF Public and Institutional Facilities



Area under petition consideration

----- Division line between two land use categories



PROPOSED LAND USE

Name	Petition Request	Petition Number
City of Gainesville	Amend the City of Gainesville Future Land Use Map from Public and Institutional Facilities (PF) to Mixed-Use Low-Intensity (8-30 units/acre) (MUL)	PB-16-74 LUC

Print

Date: Wednesday, July 20, 2016 11:34 AM

From: rgastmeyer <rgastmeyer@bellsouth.net>

To: mayor@cityofgainesville.org <mayor@cityofgainesville.org>, hayessantosa@cityofgainesville.org <hayessantosa@cityofgainesville.org>, chasetn@cityofgainesville.org <chasetn@cityofgainesville.org>, warrenhk@cityofgainesville.org <warrenhk@cityofgainesville.org>, gostonce@cityofgainesville.org <gostonce@cityofgainesville.org>, carterce@cityofgainesville.org <carterce@cityofgainesville.org>, buddhm@cityofgainesville.org <buddhm@cityofgainesville.org>, citycomm@cityofgainesville.org <citycomm@cityofgainesville.org>

Subject: Armory Property Land Use, Petitions 16-75 and 16-74

Dear Commissioners,

As a long-time Greater Gainesville resident and Gainesville property investor, I applaud the City's accomplishments and continued efforts to revitalize downtown and surrounding neighborhoods.

In particular, I support the City's efforts to help Phalanx Defense Systems move their operations to east Gainesville. I believe Phalanx will be a good fit for this parcel, providing not only the economic benefits the City so fervently believes is important, but also the intangible benefits that good neighbors bring to an area: stability, security, local empowerment.

However, I cannot support the land use rezoning request as currently proposed. MU-1 land use would allow operations that would be completely incompatible with the area. While I don't believe Phalanx would propose other uses, there are a myriad of scenarios that could lead to a change of ownership and requested use. Under the MU-1 land use as proposed, the surrounding community would have limited ability to protect itself from poor choices in the future.

Mr. Al Hadeed has asked City staff to consider removing some of the incompatible uses from the zoning on this parcel. His suggestions would provide surrounding property owners with more certainty that the value of their holdings would not be negatively affected in the future and would encourage greater investment in the area.

I understand that the City typically does not place parcel specific conditions on land use, but, given all the citizen concern over the many recent land use and zoning changes, perhaps the City should reconsider this policy. Placing limitations on individual parcels may require more up-front work on the part of staff, but could result in less citizen uproar upon final hearing at the Commission level.

Unfortunately, I am currently out of the state and not able to attend tomorrow's meeting. I did attend the neighborhood meeting held by the Planning Department. I fully support Mr. Hadeed's comments and I give him permission to indicate such at the July 21 hearing.

Sincerely,

Roberta Gastmeyer
4118 NW 69th St
Gainesville FL 32606

Print

Date: Wednesday, July 20, 2016 9:57 AM
From: Andrew Reynolds <mr.andrew.reynolds@gmail.com>
To: mayor@cityofgainesville.org, hayessantosa@cityofgainesville.org, chasetn@cityofgainesville.org, warrenhk@cityofgainesville.org, gostonce@cityofgainesville.org, carterce@cityofgainesville.org, buddhm@cityofgainesville.org
Cc: Candi Churchill <ms.candi.churchill@gmail.com>, hadeedlaw@cfl.rr.com
Subject: Armory Property Land Use, Petitions 16-74 and 16-75

Dear Commissioners,

We are unable to attend the hearing scheduled for this Thursday, July 21. We received the mailed notice of the land use and wanted you to be aware of our views. We support your arrangement with Phalanx Defense Systems and the development of Reserve Park. These will help revitalize our neighborhood. However, we are aware of the proposal by Al Hadeed to place restrictions on the land use and zoning district of the property being transferred to Phalanx. We support those restrictions. We think they are important to preserving the neighborhood character and encouraging improvements for the long term. Thank you for helping our neighborhoods.

Mr. Hadeed has our permission to mention our support of the land use restrictions at the hearing. Thank you.

Sincerely,
Andrew Reynolds & Candi Churchill

556 NE 11th Street, 32601

Print

Date: Tuesday, July 19, 2016 2:19 PM
From: califldiver@yahoo.com <califldiver@yahoo.com>
To: mayor@cityofgainesville.org, hayessantosa@cityofgainesville.org, chasetn@cityofgainesville.org, warrenhk@cityofgainesville.org, gostonce@cityofgainesville.org, carterce@cityofgainesville.org, buddhm@cityofgainesville.org
Subject: Approval of Armory Property Land Use, Petitions 16-75 and 16-74

Dear Commissioners:

I was one of the neighboring landowners who received notice for the land use hearings. The subject property is just up the street from me. I can see it from my driveway.

I was able to attend the neighborhood workshop and to ask questions. I also have followed the issues through the news articles and an email from Mr. Al Hadeed who also attended the workshop. I also met with Mr. Hayes-Santos and expressed my concerns. I am unable to attend the Thursday, July 21st hearing. I will be out of town.

I have to say that I am concerned with how this is being rushed through for the neighborhood residents. We first heard of this plan at the workshop on June 21st and since then it has moved quite quickly. We have had to work hard to digest all of this information, especially very technical info on the land use issues as well as the arrangement being made between the City and the company, Phalanx Defense Systems, Inc.

I have serious misgivings about the RFP process, how it was conducted. I have a long professional history in government procurement and believe the process was flawed. I will say that for the record and I described my concerns at the neighborhood workshop. I was dismayed when I saw a news article published the same day that contradicted what the assistant city manager stated to us at the workshop. According to the article, a property appraised at \$640,000 is being sold for \$100,000. I don't believe the city has negotiated a good deal for the taxpayer.

I know I cannot stop the approval of the project. But if you are going to approve the project I fully support the conditions that Mr. Al Hadeed has recommended. To allow these uses he recommends to be restricted for the future will severely impact the neighborhood. Please at least stand up for protecting our neighborhood from inappropriate uses that take away from a neighborhood that is struggling to improve.

I have informed Mr. Hadeed that he is authorized on my behalf to mention my support for his proposal. Thank you.

Orlando Santos
538 NE 11th Street

EXCERPTED FROM ST. JOHNS COUNTY

(8) Site-Specific Limitations on Density/Intensity

(a) The property known as the State Road 16 Property legally described in Ordinance 2006-48 (the "Ordinance") is assigned a Residential B Future Land Use Designation under the Ordinance. The gross density of said property shall not exceed 54 residential dwelling units. Proposed changes to increase the allowed density of the subject property are subject to the provisions of Chapter 163, Florida Statutes, regarding large-scale amendments to comprehensive plans.

(b) The property known as the Pacetti Property legally described in Ordinance 2006-53 (the "Ordinance") is assigned a Residential D Future Land Use Designation under the Ordinance. The gross density of said property shall not exceed 224 residential units and 2,500 square feet of water dependent commercial use. Proposed changes to increase the allowed density of the subject property are subject to the provisions of Chapter 163, Florida Statutes, regarding large-scale amendments to comprehensive plans.

(c) The 145 acres of property located on the northeast and northwest corners of CR 210 and CR 223 as described in Ordinance No. 2005-26 (the "Ordinance") is assigned an Intensive Commercial (IC) Future Land Use Map Designation. The development intensity of those 145 acres shall not exceed 10,000 square feet of development per acre. Proposed changes to increase the allowed development intensity of the 145 acres are subject to the provisions of Chapter 163, Florida, regarding large-scale amendments to the Comprehensive Plan.

(d) The Property known as H.E. Wolfe Trust, a 310+/- acre development, legally described below, is assigned a Residential C Future Land Use Map Designation and a Conservation Future Land Use Designation through Ordinance 2006-148. The gross density of said property shall not exceed 801 cumulative residential units and 181,603 square feet of non-residential use in perpetuity. Proposed changes to increase the allowed density of the subject property are subject to the provisions of Chapter 163, Florida Statutes, regarding large-scale amendments to comprehensive plans.

(e) The property known as Wildcat/Turnbull, containing approximately 436.69 acres as legally described in Ordinance No. 2007-66, is assigned a Residential-B Future Land Use Map designation and is limited to a maximum of 813 dwelling units. Proposed changes to increase the allowed density of the subject property are subject to the provisions of Chapter 163, Florida Statutes, regarding large scale amendments to the Comprehensive Plan.

(f) The property known as Bannon Lakes, a 580 +/- parcel, is being capped at a maximum of 999 residential units, 105,000 square feet of commercial space and 15,000 square feet of office space.

Conservation easements in favor of the St. Johns River Water Management District shall be established pursuant to Section 704.06, Florida Statutes, in order to preserve and maintain no fewer than one hundred-eighty (180) acres of wetlands along with adjacent

uplands. The easements shall be placed in the Public Records of St. Johns County, Florida prior to construction plan approval for any development upon the Subject Property.

(g) The Cordova Palms DRI property legally described in Ordinance No. 2010-36 is assigned the future land use designations of Residential-C and Intensive Commercial (IC) as shown on the Future Land Use Map. Residential use on the Cordova Palms DRI property shall be limited to a maximum of 750 multi-family residential dwelling units, or some combination of single family and/or multi-family residential

units that will have the same or less net impact as 750 residential units on those public facilities and services with an adopted level of service. The maximum floor area of development within the Intensive Commercial future land use designation shall be 0.75. Proposed changes to increase the allowed development density are subject to the provisions of Chapter 163, Florida Statutes, regarding large-scale amendments to the Comprehensive Plan.

(h)The property known as the Lemberg South property legally described in Ordinance 2010-37 is assigned the future land use designations of Airport District and Industrial as shown on the Future Land Use Map. Development of the Lemberg South property shall comply with the following development standards:

(i)The following uses shall be permitted on the portion of the Lemberg South property designated as Airport District Land Use Category: a. Agriculture b. Cultural/Institutional c. Neighborhood Business d. General Business e. High Intensity Commercial f. Highway Commercial g. Light Industrial h. Neighborhood Public Service i. General Public Service j. Regional Business and Commercial;

(ii)Heavy Industrial, Residential, and Solid Waste and Correctional Facilities Uses shall be prohibited within the Industrial and Airport District Land Use Categories of the Lemberg South property; (iii)A minimum 100-foot wide natural vegetative buffer shall be provided between development within the Industrial Land Use Category and the adjacent Residential-B Land Use Category along the southeast boundary of the Lemberg South property. (iv)The maximum floor area ratio of development within the Industrial Land Use Category shall be 0.22. (v)The maximum floor area ratio of development within the Airport District Land Use Category shall be 0.22. (vi)Proposed changes to increase the allowed development intensity are subject to the provisions of Chapter 163, Florida Statutes, regarding large-scale amendments to the Comprehensive Plan.

(i)The property known as Sunshine 16 Parcel 4 legally described in Ordinance 2014-12 (the Ordinance) is assigned Residential C Future Land Use Designation under the Ordinance. The gross density of said property shall not exceed 52 residential dwelling units. Proposed changes to increase the allowed density of the subject property are subject to the provisions of Chapter 163, Florida Statutes, regarding large scale amendments to comprehensive plans.

(j)A portion of the property known as St. Johns Marketplace legally described in Ordinance No. 2014-3 is assigned a future land use designation of Business and Commerce Park on the Future Land Use Map (the "Commerce Park Property"). Development of the Commerce Park Property shall comply with the following standards:

(i)Pedestrian and vehicular connections shall be provided to create an interconnected vehicular, pedestrian, and bikeway network between parcels.

(ii)Centralized traffic circulation, utilities, parking, drainage, open space and similar infrastructure shall be provided and may be shared throughout the Commerce Park Property.

(iii)Cohesive design themes shall be included within the Commerce Park Property to ensure consistency and compatibility of the development and to enhance the view shed of the Commerce Park Property along Interstate 95 and other major roadways. Such design themes shall at a minimum include building facades, landscaping, signage, parking-area design, and similar development techniques.

(iv) When feasible, large parking fields shall be placed behind buildings to minimize views of large paved parking areas from major roadways. Where large parking fields are necessary and are in view of major roadways, enhanced landscaping including, but not limited to, additional canopy trees shall be incorporated into the parking lot designs.

(v) Commerce Park Property shall be designed to avoid impacts to the wetland strand located in the center of the property.

(k) The property known as Heritage Oaks at St Johns, legally described in Ordinance 2014-8 (the "Ordinance") assigned a Residential C Future Land Use designation under the Ordinance. The gross development of said property shall not exceed 99 residential dwelling units. Proposed changes to increase the allowed development of the subject property are subject to the provisions of Chapter 163, Florida Statutes, regarding large scale amendment of the Comprehensive Plan.

(l) The property known as Bartram Park Planned Unit Development ("PUD"), containing approximately 582 acres as legally described in Ordinance No. 2014-16, is assigned a Residential B Future Land Use Map designation and is limited to a maximum of 616 dwelling units. Proposed changes to increase the allowed density of the Bartram Park PUD property are subject to the provisions of Chapter 163, Florida Statutes, regarding large-scale amendments to the Comprehensive Plan.

(m) The property known as Valencia Apartments legally described in Ordinance 2014-32 (the "Ordinance") is assigned a Residential D Future Land Use Designation under the Ordinance. The density of said property shall not exceed 288 multi-family residential dwelling units. Proposed changes to increase the allowed density of the subject property are subject to the provisions of Chapter 163, Florida Statutes, regarding large scale amendments to comprehensive plans.

(n) The Property known as the Julington Lakes Planned Unit Development (PUD) ("Julington Lakes"), containing approximately 598.4 acres as legally described in Ordinance 2014-45 (the "Julington Lakes Ordinance"), is assigned a Residential-B Future Land Use Map designation and is limited to a maximum of 512 dwelling units. Proposed changes to increase the allowed density of the subject property are subject to the provisions of Chapter 163, Florida Statutes, regarding large-scale amendments to Comprehensive Plan.

(o) The property known as Durbin Creek National The property known as Durbin Creek National (COMPAMD 2014-07), a 1,624 acre parcel (the "Property"), has existing Future Land Use Designations of Intensive Commercial and Rural/Silviculture pursuant to St. Johns County Ordinance No. 2000-68. The portions of the Durbin Creek National Property designated Intensive Commercial shall be developed with a mixture of Commercial/Shopping Center, Office, Hotel and Residential uses. The portion of the Property with a future land use designation of Rural/Silviculture is part of the 1,500-foot Durbin Creek corridor (measured 750 feet from the center line of Durbin Creek). The timber rights forth this area will expire in 2025 and upon expiration, the Rural/Silviculture future land use area will become conservation area through a Comprehensive Plan Amendment, conservation easement or similar mechanism. The Property is included in the Durbin Creek National Urban Service Area boundary, as depicted on the St. Johns County Future Land Use Map, pursuant to Section 163.3164(50), Florida Statutes, and shall be exempt from development of regional impact review pursuant to Section 380.06(29)(c)(3), Florida Statutes.