

**City of Gainesville
Department of Community Development
Current Planning Division
Summary of Technical Review Committee Comments**

Petition: 82SUB-01DB	Development Review Board
Meeting Date: 9/13/01	Reviewed by: Bedez E. Massey
Project Name/Description: Design plat review for 88 lots on 44.9 acres MOL. Zoned R1-a (Alachua County zoning). Located in the vicinity of SR 331 (Williston Road) and Southwest 21 st Street, north side.	

I. Department Comments:

- 1. **Planning:** Approvable with conditions
- 2. **City Engineering:** Approvable with conditions
- 3. **Gainesville Regional Utilities:** Approvable with conditions
- 4. **Building:** Approvable as submitted
- 5. **Fire:** Approvable as submitted
- 6. **Police:** No comments received
- 7. **Arborist:** Approvable with conditions
- 8. **A.C.E.P.D.:** Approvable with conditions
- 9. **Alachua Co. Dept. of Growth Management:** Approvable with conditions

II. Overall Recommendation: The petition is approvable with conditions.

SITE PLAN EVALUATION SHEET

DEVELOPMENT PLAN & SUBDIVISION REVIEW EVALUATION

CURRENT PLANNING, ROOM 158, THOMAS CENTER "B"

306 Northeast 6th Avenue 334-5023

Petition No. 82SUB-01DB	Date Plan Rec'd: 8/31/01	Review Type: Design Plat
Review For: Development Review Board	Review Date: 9/13/01	Project Planner: Bedez E. Massey

APPROVABLE
(as submitted)

APPROVABLE
(subject to below)

DISAPPROVED

Description/Location/Agent: Design plat review for 88 lots on 44.59 acres MOL. Located in the vicinity of SR 331 (Williston Road) and Southwest 21st Street, north side.

RECOMMENDATIONS/REQUIREMENTS/COMMENTS

The petitioner is requesting approval of a cluster subdivision involving 88 lots on a 44 -acre (mol) tract of land. The land is located north of Williston Road, between SW 20th Street and SW 23rd Terrace. The land was annexed by the City of Gainesville in April of 2000, and still retains the County R1-a zoning designation. As a result, the proposed design plat (see Exhibit A) has been reviewed under Alachua County regulations affecting cluster subdivisions, R1-a zoning, and the Idylwild/Serenola Special Area. The Idylwild/Serenola Special Area is regulated by County-adopted land development regulations that are intended to ensure environmental issues are adequately addressed during the development review process. A copy of these regulations is provided in Exhibit B.

Staff finds the petition approvable, subject to the following conditions:

1. As required by Article III, Section 394.34 (5) c. of the Alachua County Zoning Code, a survey of all regulated trees on the subject property, specifying species to be protected or removed, shall be provided as part of the design plat submittal. The survey shall be provided to the Current Planning Division for staff review prior to the submittal of construction drawings or an application for final plat approval.
2. A new aerial photograph shall be submitted to comply with Article III, Section 394.34 (5) c. of the Alachua County Zoning Code. The aerial that was submitted yesterday is not legible for staff review.
3. The applicant shall provide the Current Planning Division with a copy of the fully executed quit claim deed noted on the proposed design plat prior to the submittal of construction drawings.
4. The legal description and all other data provided on the design plat shall reflect the amount of land removed by the quit claim deed. The southern project boundary shall also be modified.
5. The boundaries of Phase I and II shall be more clearly delineated on the design plat. Staff cannot determine where the two phases are separated.
6. The lift station shall be buffered from the residential structures located to the east. The type of buffer shall be indicated on the design plat.

SITE PLAN EVALUATION SHEET
DEVELOPMENT PLAN & SUBDIVISION REVIEW EVALUATION
CURRENT PLANNING, ROOM 158, THOMAS CENTER "B"
306 Northeast 6th Avenue 334-5023

Development Plan Evaluation
Petition 82SUB-01DB

Page 2

7. The existing structure shown in the southwest corner of the development site shall be removed prior to the submittal of the final plat application. Please consult with the City Historic Preservation Planner prior to filing for a demolition permit.
8. The applicant shall provide a letter from the State Division of Historical Resources addressing the extent of the archaeological significance of the development site prior to submitting construction drawings.
9. The applicant shall provide a letter from the Florida Fish and Wildlife Conservation Commission addressing measures to be taken along the perimeter of the proposed development to protect the Sandhill Cranes that roost on neighboring property. These measures shall be incorporated into the restrictive covenants enforced within the proposed cluster subdivision, and a copy shall be provided to the Current Planning Division for review prior to final plat approval. The Alachua County Department of Environmental Protection recommended that, at a minimum, a 6 to 8 ft. high, opaque screen be provided along the west property line, and that property owners be prohibited from maintaining pets that may cause adverse behavior among the cranes.
10. The design plat shall specify the type material to be used for the fence proposed along the development site.
11. Please label the 5th column in Item G. on Sheet 1 as follows: "Cluster Subdivision Requirements," so that it is clear to city staff that these are the requirements to be enforced.
12. Please be reminded that this petition covers design plat approval for all phases of the proposed cluster subdivision. Please modify Note 10 on Sheet 1 accordingly.
13. Please be reminded that the Alachua County cluster subdivision requirements state that the notation "Cluster Development" shall be included within the title of the subdivision.
14. The terms of a "Conditional Plat," as described by the agent for the applicant in a letter dated August 30, 2001, are subject to further review and the subdivision requirements of Alachua County.

SITE PLAN EVALUATION SHEET

PUBLIC WORKS DEPARTMENT 334-5072 M.S. 58

Petition No. <u>82SUB-01DB</u>	Review Date: <u>9/11/01</u>	Review Type:
Review For : <u>Technical Review Committee</u>	Plan Reviewed: <u>09/11/01</u>	<u>Design Plat</u>
Description, Agent & Location: <u>Kidd and Kidd</u>	Project Planner:	
<u>Ben Tecler</u>	<u>SR 331 and SW 21st Street</u>	<u>Bedez Massey</u>

APPROVED
(as submitted)

APPROVED
(subject to below)

DISAPPROVED

- Alachua County Environmental Review Required
- Alachua County Environmental Review Not Required
- 100 Yr. critical duration storm event must be analyzed.
- SJRWMD stormwater permit is required.
- Treatment volume must be recovered within 72 Hrs. (F.S. of 2)
- Approved for Concurrency

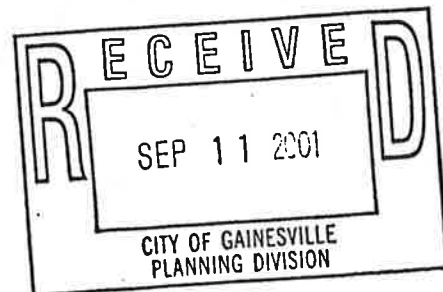
Comments By:



Rick Melzer, P.E.
Development Review Engineer

REVISIONS / RECOMMENDATIONS:

1. This plan has not yet been reviewed for surveying requirements.





**DEVELOPMENT REVIEW EVALUATION
GAINESVILLE REGIONAL UTILITIES**

Ellen Underwood, New Development Coordinator
PO Box 147117, Gainesville, FL 32614
Voice (352) 334-3400 x 1644 - Fax (352) 334-3480

Sep 10, 2001

1 Petition 82SUB-01 DB

Benjamin D. Tecler, Agent for Kidd & Kidd. Design plat review for 88 lots on 44.59 acres MOL. Zoned: R1-a (Alachua County zoning). Located on the north side of SR 331 (Williston Road) in the 2100 block. (BEDEZ)

- Conceptual Comments
- Approved as submitted
- Approved w/conditions
- Insufficient information to approve

New Services An approved utility space allocation to determine PUE's and review of proposed Lift Station site that will be needed needs to be determined before final submittal

Water

Sanitary Sewer

Electric

Gas

Real Estate

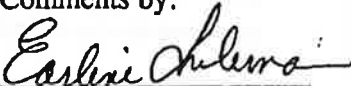


SITE PLAN EVALUATION SHEET

CITY ARBORIST 334-2171 - Sta. 27

Petition: 82SUB-01 DB Review date: 9/7/01 Review For: Technical Review Committee Agent: Benjamin D. Tecler for Kidd & Kidd at SR 331 (Williston Road) and SW 21 st Street.	Review: Design Plat Planner: Bedez
---	---------------------------------------

APPROVED (as submitted)
 APPROVED (with conditions)
 DISAPPROVED

<ul style="list-style-type: none"> <input type="checkbox"/> Tree Survey Required <input type="checkbox"/> Landscape Plan Required <input type="checkbox"/> Irrigation system required <input checked="" type="checkbox"/> Attention to conditions (revisions/recommendations) 	Comments by:  Earline Luhrman Urban Forestry Inspector
---	--

Conditions:

The petitioner has satisfied neither the Alachua County Code for a tree survey nor the City of Gainesville Code requirements, and they must satisfy one or the other. On May 22, Dr. David Hall, consulting botanist with CH2M Hill, met with the City Arborist with the intention of meeting the City's tree survey requirements via an option identified in Sec. 30-160 (d) (4) which provides an alternative to a comprehensive tree survey. This alternative entails a report from "a Certified Arborist with current credentials from the International Society of Arboriculture" and "must show the surveyed location, diameter, genus, and species of all Heritage trees, other significant trees worthy of protection, and existing trees planted to comply with earlier approved development plans."

Dr. Hall was advised that the trees they intended to locate for the purposes of creating the Design Plat would be satisfactory, but that additional trees would have to be located on the plans before final approval was given, and a written report would have to be filed. The additional trees were identified in the field by the City Arborist.

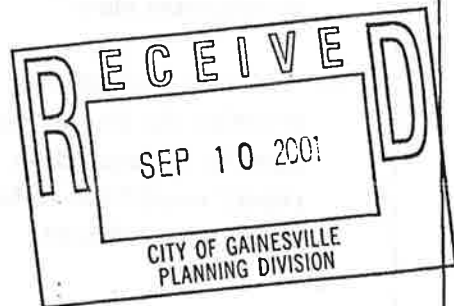


The written report has not been submitted. However, the design plat is approvable since it reflects good decisions regarding tree preservation through the selection of open spaces to be preserved. Nonetheless, the written report must be submitted prior to final approval, and the additional trees must shown on the plat. Or the petitioner can meet the City regulations specified in Sec. 30-183 (e)(2)i, which require the design plat to show "the location, and identification to genus and species, of all major tree groupings and native Heritage trees of all species on the subdivision tract, a designation of which Heritage trees and tree groupings are proposed to be removed, and an identification to genus and species of any regulated tree as defined in Section 30-254, located within 15 feet of any proposed right-of-way or utility improvement."

A third alternative to meeting the requirement for providing the required assessment of the tree canopy on the site would be to meet the regulations of Alachua County, which Michael Drummond, Environmental Specialist of the Environmental Protection Department, indicated would require a tree survey showing all regulated trees on the entire site.

To summarize, one condition for approval of this design plat should be that one of these three alternatives specified above be met. What has been submitted thus far is acceptable for the design plat but is not acceptable for final approval.

The second condition likewise presents the petitioner with the alternative of meeting either the City or County Code, and the subject here is tree canopy on the developed site. The City Code will require the planting of one tree every 50' along both sides of all rights-of-way, although existing trees may be identified and used to substitute for trees to be planted. Or the County requirements for tree preservation on all sides of the dwellings can be honored. The second condition, therefore, for plat approval is that prior to final approval of the subdivision plans, a proposal for tree preservation and/or planting on the individual lots will be submitted and be in compliance with either City of County Code.





ALACHUA COUNTY DEPARTMENT OF GROWTH MANAGEMENT

10 S.W. 2nd Avenue • Third Floor • Gainesville, Florida 32601-6294

Tel: (352) 374-5249 • Fax: (352) 338-3224

Suncom: 651-5249

Home Page: www.co.alachua.fl.us

Board of County Commissioners

Rick Drummond, AICP
Director
Growth Management

Richard Wolf
Director
Codes Enforcement

Steven Lachnicht, AICP
Principal Planner of
Development Services

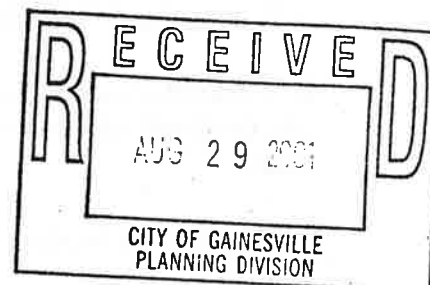
Ken Zeichner, AICP
Principal Planner
Comprehensive Planning

Tom Webster
Housing Programs
Coordinator

Juna Papajorgji
GIS Coordinator

August 29, 2001

Bedez Massey
City of Gainesville Planning Department
P.O. Box 490 - MS 11
Gainesville, FL 32602



RE: Bivenwood Cluster Subdivision

Dear Ms. Massey:

As we have discussed, the subject site is located within the Idylwild/Serenola Special Area Study as defined in the Alachua County Comprehensive Plan and implemented through the County Land Development Regulations. Although the property has been annexed into the City of Gainesville, since the City has not yet adopted the Idylwild Study, I have been asked to comment on proposed plan and its consistency with the County policies and regulations.

With regard the to the Comprehensive Plan policies, the subject site is identified as a Tree Canopy Area on the Special Area Environmental Resources map. Policy 12.4.2.2 requires the applicant to submit a tree survey and to utilize a cluster design concept to minimize the impact of the proposed development. The proposed development appears to be consistent with the intent of the tree canopy policy. The Idylwild/Serenola Special Area Study map (amended 9/9/97) designates the subject parcel as residential with a density of 0 to 2 units per acre. The proposed plan is for a residential development of 88 single family units on 44 acres (2 upa) consistent with the land use designation.

With regard to the County LDRs, Chapter 394, Article III describes the Idylwild /Serenola regulations. Section 394.34(5) outlines the tree preservation requirements for areas designated for tree canopy protection. Specific to single family development, Section 394.34(5)d. provides for the retention of trees in front, side and rear setback areas and a clustered development design consistent with Chapter 373 to maintain as many regulated trees as possible. Additionally, Section 394.34(5)f. and Section 394.33 describe requirements for tree protection during construction of the project. Based on the submitted information, the proposed plan appears to be generally consistent with Sections 394 and 373. Notes citing the tree protection provisions should be added to the

F:\USERS\SLachnicht\Gville\emert.29.01.spd

An Equal Opportunity Employer M.F.V.D.



08/29/2001 12:14 PLANNING DIVISION 0043200
110.072 003
August 29, 2001
Page 2

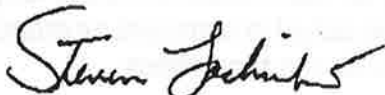
plan.

Additional general comments:

- a. A note should be added to the plan regarding the removal of the existing structure
- b. The plan should include the locations of the proposed pedestrian/bicycle access points and off-street trails with notes regarding their placement to minimize impacts to protected trees.
- c. Remove the building outline from the common area abutting Williston Road.
- d. Please advise the applicant to evaluate the proposed building envelopes. Construction on lots such as 18 and 19 may be difficult without impacting the buffer area.

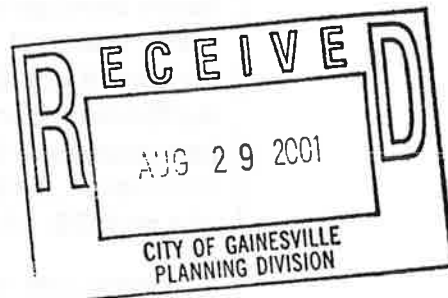
Thank you for this opportunity to provide comments. If there are questions about specific provisions, please contact me at your convenience.

Sincerely,



Steven Lachnicht

cc: Michael Fay
Rory Causseaux

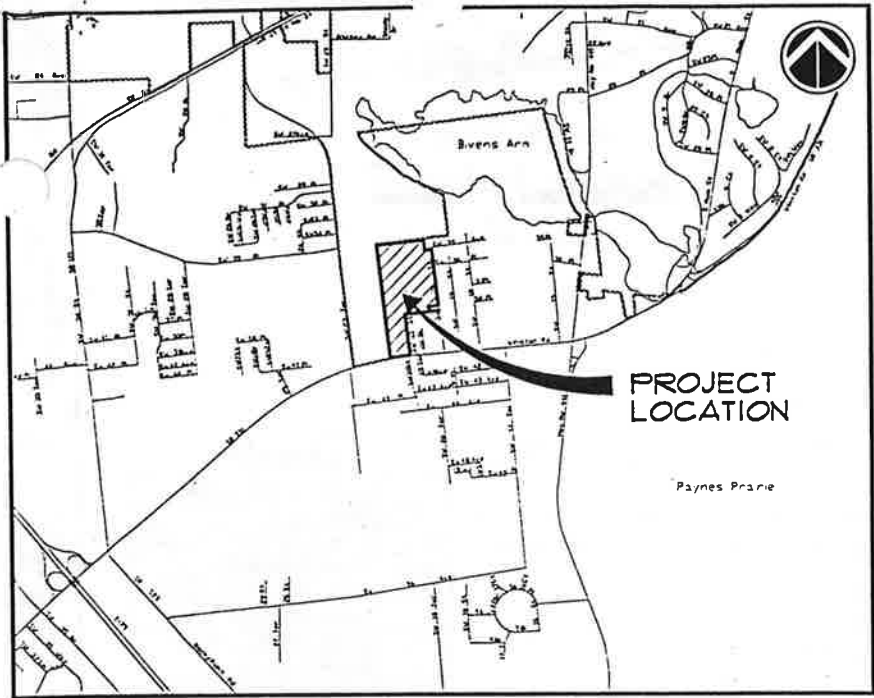


DESIGN FOR MADE

CLUSTER SUBDIVISION

LOTS 5&6 OF THE MAP
TOWNSHIP 10 SOUTH, RANGE 17 WEST
CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA

NOT FOR FINAL



VICINITY MAP
N.T.S.

GENERAL NOTES:

1. PROPERTY OWNER: KIDD & KIDD
4001 NEWBERRY ROAD, SUITE E1
GAINESVILLE, FLORIDA 32607

DEVELOPER: GREENTRUST, L.L.C.
3909 NEWBERRY ROAD, SUITE A
GAINESVILLE, FLORIDA 32607

2. ENGINEER OF RECORD AND AGENT FOR OWNER: CAUSSEUX & ELLINGTON, INC.
RORY P. CAUSSEUX, P.E. LICENSE #39421
6011 N.W. 1ST PLACE
GAINESVILLE, FLORIDA 32607
(352) 331-1976

3. SURVEYOR OF RECORD: CAUSSEUX & ELLINGTON, INC.
KEVIN FLANAGAN, PSM LICENSE #3942
6011 N.W. 1ST PLACE
GAINESVILLE, FLORIDA 32607
(352) 331-1976

4. DEVELOPMENT DATA:

TOTAL AREA	= 1,935,082 S.F.	100.0% (44.42 AC.)
LOT AREA	= 910,877 S.F.	47.1% (20.91 AC.)
COMMON SPACE/DRAINAGE EASEMENT	= 784,082 S.F.	40.5% (18.00 AC.)
RIGHTS-OF-WAY	= 240,126 S.F.	12.4% (5.51 AC.)

5. SURVEYORS NOTES:
A. BEARINGS HEREON ARE REFERRED TO AN ASSUMED VALUE OF N04°30'00"W FOR THE WEST LINE OF LOT 8 OF THE NAPIER GRANT AS SHOWN HEREON. SAID BEARING IS IDENTICAL WITH THE PLAT OF THE THOMAS NAPIER GRANT RECORDED IN DEED BOOK L, PAGE 591 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

6. DEVELOPMENT NOTES:
THE SUBJECT PROPERTY WAS RECENTLY ANNEXED INTO THE CITY LIMITS UPON ANNEXATION INTO THE CITY. IT RETAINED ITS COUNTY ZONING OF R1-A AND LAND USE OF RSF. UNTIL SUCH TIME THAT THE CITY TAKES ACTION TO CHANGE ITS ZONING AND LAND USE, IT IS GOVERNED BY THE ALACHUA COUNTY LAND DEVELOPMENT CODE. DEVELOPMENT DATA AND REQUIREMENTS HAVE BEEN PROVIDED FOR BOTH THE EXISTING R1-A ZONING AND THE PROBABLE CITY ZONING OF RSF-1, ALSO ENUMERATED HEREIN ARE THE CLUSTERING REQUIREMENTS FOR BOTH THE COUNTY AND THE CITY.

A. THE DESIGN PLAT CONTAINS 44.42 ACRES TOTAL
B. THE DESIGN PLAT INCLUDES:
- 88 SINGLE-FAMILY LOTS
- PLATTED OPEN SPACE = 18.00 AC.

C. MINIMUM LOT SIZE:
COUNTY 10,000 S.F.
CITY 8,500 S.F.

D. BUILDING SETBACK REQUIREMENTS:

FRONT SETBACK	COUNTY 25'	CITY 20'
SIDE SETBACK (INTERIOR)	10'	7.5'
SIDE SETBACK (STREET)	25'	10'
REAR SETBACK	20'	20'

NOTE: ACCESSORY STRUCTURES SHALL COMPLY WITH THE PRIMARY BUILDING SETBACKS.

E. MINIMUM LOT WIDTH AT FRONT SETBACK:
COUNTY 80'
CITY 85'

F. MINIMUM LOT DEPTH:
COUNTY 90'
CITY 90'

7. CLUSTER REQUIREMENTS:
COUNTY CLUSTERING IS PER ACDLC SECTION 37.1.01 - 37.1.03.
CITY CLUSTERING IS PER GAINESVILLE LDR SECTION 30-190.

STANDARD	COUNTY CRITERIA	CITY CRITERIA	MIN. BASED ON MORE STRINGENT CRITERIA	PROVIDED CRITERIA
MIN. TRACT SIZE	1 ACRE	0.918 ACRE	1 ACRE	44.42 AC.
OPEN SPACE	MIN. OPEN SPACE IS EQUAL TO REDUCTION IN LOT SIZES BELOW ZONING MIN. 380,000-347,059 = 32,941 S.F.	MIN. OPEN SPACE IS EQUAL TO REDUCTION IN LOT SIZES BELOW ZONING MIN. X 75% (0 S.F. X .75 = 0)	MIN. OPEN SPACE IS EQUAL TO REDUCTION IN LOT SIZES BELOW ZONING MIN.	18.00 AC.
LOT AREA	REDUCED BY UP TO 50% OF REQUIRED (5,000 S.F.)	REDUCTION UP TO APPLICANT AND REQUIRES DRB AND COUNTY COMMISSION APPROVAL	5,000 S.F.	8,502 S.F.
LOT WIDTH	REDUCED BY UP TO 50% OF REQUIRED (40')	REDUCTION UP TO APPLICANT AND REQUIRES DRB AND COUNTY COMMISSION APPROVAL	40'	40'
LOT DEPTH	NOT MENTIONED	REDUCTION UP TO APPLICANT AND REQUIRES DRB AND COUNTY COMMISSION APPROVAL	90'	54'
MIN. SIDE YARD	5'	REDUCTION UP TO APPLICANT AND REQUIRES DRB AND COUNTY COMMISSION APPROVAL	5'	5'
MIN. STREET SIDE YARD	10'	REDUCTION UP TO APPLICANT AND REQUIRES DRB AND COUNTY COMMISSION APPROVAL	10'	10'
MIN. FRONT YARD	15'	REDUCTION UP TO APPLICANT AND REQUIRES DRB AND COUNTY COMMISSION APPROVAL	15'	15'
MIN. REAR YARD	15'	REDUCTION UP TO APPLICANT AND REQUIRES DRB AND COUNTY COMMISSION APPROVAL	15'	15'

COUNTY NOTES:
1) APPLICANT MAY REQUEST GREATER REDUCTION WHEN SUBMITTING AN APPLICATION.
2) REDUCED LOTS ABUTTING OTHER RESIDENTIAL OR AGRICULTURAL ZONINGS MUST COMPLY WITH THE EXISTING ZONINGS SETBACKS AND PROVIDE A FENCE OR 10' BUFFER WITH 75% OPACITY IN 3 YEARS (OR EXISTING VEGETATION).
3) THE ABSOLUTE MINIMUM OPEN SPACE THAT MAY BE PROVIDED IS 5,000 S.F.

CITY NOTES:
1) THE NAME OF THE SUBDIVISION MUST BE FOLLOWED BY THE WORDS "CLUSTER SUBDIVISION".
2) ONLY SINGLE-FAMILY DETACHED DWELLINGS SHALL BE ALLOWED.
3) LOTS ADJACENT TO OTHER PROPERTIES MUST HAVE A LOT WIDTH AND SETBACK THAT IS A MINIMUM OF THAT REQUIRED FOR THE ABUTTING PROPERTIES ZONING.

7. DESCRIPTION OF NATURAL OR MANMADE FEATURES:
The property comprises a fragment of mesic hammock forest approximately 40 years of age. Canopy trees include *Quercus virginiana* (live oak), *Q. lauretalis* (laurel oak), *Q. falcata* (Southern red oak), *Pinus taeda* (loblolly pine), and *Carya tomentosa* (mockernut hickory), among others. The presences of several *Pinus palustris* (longleaf pine) in the northern portion of the property is noteworthy. Subcanopy trees and shrubs include young *Magnolia grandiflora* (Southern magnolia), *Cornus florida* (flowering dogwood), *Magnolia virginiana* (sweetbay magnolia), *Prunus angustifolia* (chickasaw plum), *Crotaegus* sp. (hawthorn), *Vaccinium arboreum* (falseberry), *Parosela barboisii* (red bay), *Rhamnus caroliniana* (Carolina buckthorn), *Rhus glabra* (winged sumac), *Asimina speciosa* (dog banana), *Ilex cornuta* (Carolina holly) and *Bumelia*. Despite considerable invasion by exotic vegetation on the eastern northern edges of the property, the forest community is relatively healthy for its age and small size.

Retaining the site's key ecological functions is a primary goal of the project. A team of local scientists including botanist Dr. David Hall, wildlife biologist Dr. Mark Hostetter, biologist Dr. Debbie Morales DeLoach, and specialists from the St. John's River Water Management District has worked closely with project planners Ecological Design Associates, LLC, and project engineers Cousseaux and Ellington, Inc., throughout the site analysis and design process to ensure that this goal is met.

The site analysis identified four critical functions of the property that should be preserved: its role as an equifer recharge area; its provision of a forested "safe" buffer for the large seasonal population of sandhill cranes that forage on the adjacent cattle pasture; its diversity of native vegetation and species; and its value as an educational and passive recreational resource for the citizens of Gainesville. Maintaining and enhancing these functions formed the basis of the site plan.

The natural recharge basins have been set aside as undisturbed forested open spaces to allow unimpeded infiltration of stormwater. Water quality is further enhanced by avoiding concentration of stormwater wherever possible. Additional open space was designed around key vegetation. 85 individual trees of particular ecological or aesthetic importance were identified, ranked, and field surveyed. All trees receiving high and medium ranks have been preserved in the site plan. Trees receiving especially high marks for aesthetic or educational value have been showcased as focal points along roads and trails. In addition to individual trees, 7 vegetative subcommunities were identified in the field. Representative subcommunities of high diversity and value have been preserved and will form the basis of an educational interpretive nature trail system on the property.

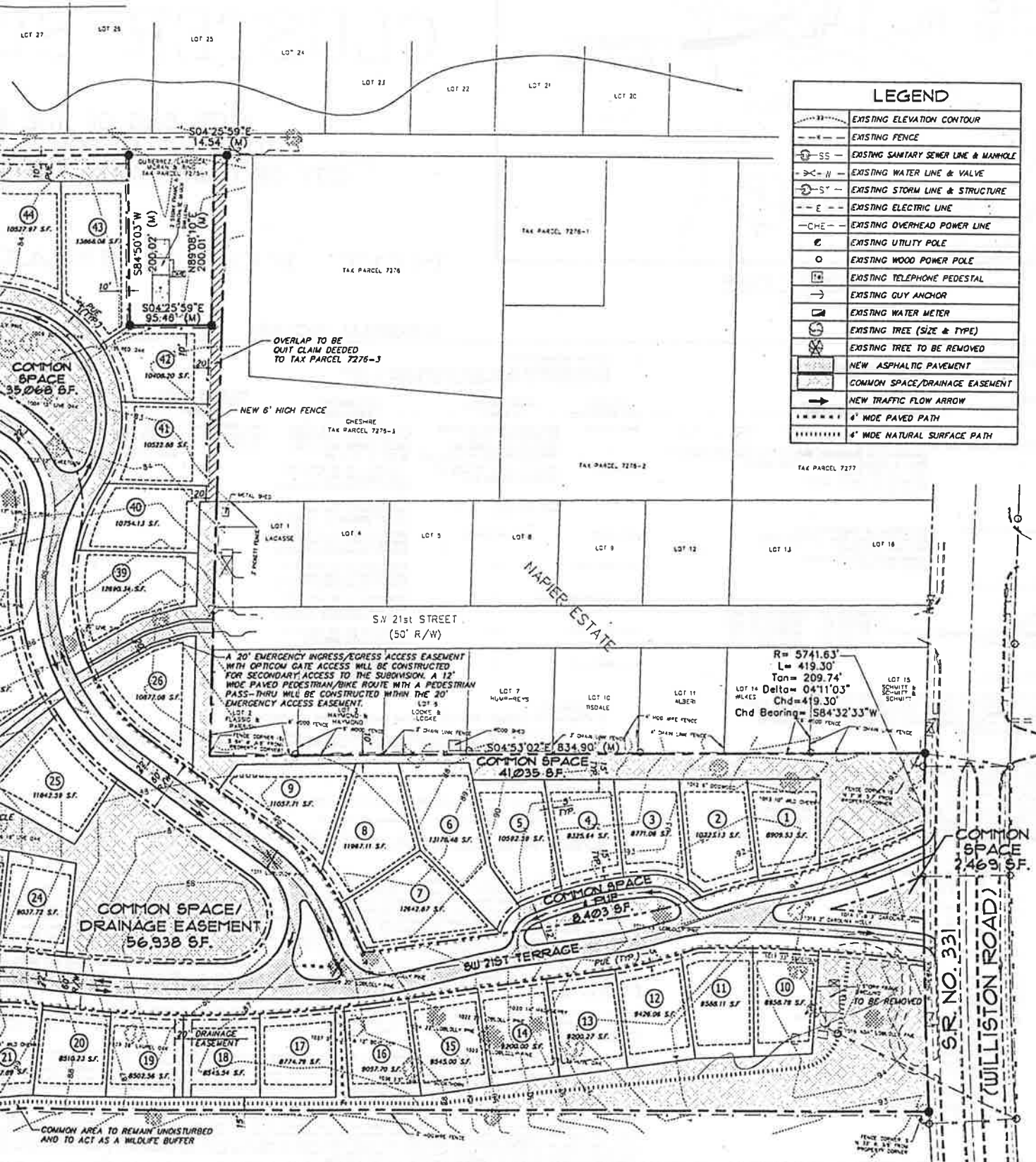
Preservation of trees and habitat areas on the property will be carried through the construction phase. As arranged with the City Arborist, a full inventory of all 8 inch and greater live oaks and other noteworthy trees will be performed prior to the engineering of each phase to ensure that all earth disturbance minimizes impacts to critical root zones. The developers will also partner with the University of Florida Energy Extension Service and the St. John's River Water Management District to ensure that the buffer sites houses on lots in a manner to minimize clearing and root compaction. It is anticipated that this combination of site-based design and carefully monitored construction practices will serve as a demonstration of how the primary function of a natural forest community can be retained despite development activities.



GRAPHIC SCALE



(IN FEET)
1 Inch = 80 Ft.



LEGEND	
	EXISTING ELEVATION CONTOUR
	EXISTING FENCE
	EXISTING SANITARY SEWER LINE & MANHOLE
	EXISTING WATER LINE & VALVE
	EXISTING STORM LINE & STRUCTURE
	EXISTING ELECTRIC LINE
	EXISTING OVERHEAD POWER LINE
	EXISTING UTILITY POLE
	EXISTING WOOD POWER POLE
	EXISTING TELEPHONE PEDESTAL
	EXISTING GUY ANCHOR
	EXISTING WATER METER
	EXISTING TREE (SIZE & TYPE)
	EXISTING TREE TO BE REMOVED
	NEW ASPHALTIC PAVEMENT
	COMMON SPACE/ DRAINAGE EASEMENT
	NEW TRAFFIC FLOW ARROW
	4' WIDE PAVED PATH
	4' WIDE NATURAL SURFACE PATH

CLIENT: GREENTRUST GAINESVILLE, FLORIDA
PROJECT: MADERA CLUSTER SUBDIVISION
SHEET NO.: 2 OF 3
DESIGN PLAT

DESIGNED BY: R. WALPOLE, E.I.
DRAWN BY: C.F. POSADA
CHECKED BY: R.P. CAUSSEAU, P.E.

COMPUTER FILE: 01-26802.DWG
DATE: AUGUST 13, 2001

DE Causeaux & Ellington, Inc.
Erving • Surveying • Planning
1401 E. Gainesville, Florida 32607
Phone: (352) 331-7175
Fax: (352) 331-7175
mailto:info@de-eh.com

DATE: _____
APPROVED BY: RORY P. CAUSSEAU
DATE: 07/20/01 17:34

BOARD OF EDUCATION
FLORIDA
TAX PARCEL 7318

DALES COURT
SW 35th PLACE

SW 16th PLACE

IDYLWOOD

50'x50' LIFT STATION
(DEEDED TO THE
CITY OF GAINESVILLE)

504'25'59"E 1144.39' (M)

SW 20th STREET (2E R/W)

N 86°19'33" E
1400.07' (M)
S 04°35'42" E
206.91' (M)

COMMON SPACE/
DRAINAGE EASEMENT
344,400 SF

PHASE II

10' WIDE AT GRADE PAVED
PEDESTRIAN/BICYCLE ACCESS
(MAY BE FIELD ADJUSTED TO
SAVE TREES)

COMMON SPACE
4 PUE
21,187 SF

OPEN SPACE
10,880 SF

COMMON SPACE
4 PUE
35,481 SF

COMMON SPACE
4 PUE
24,113 SF

COMMON SPACE
142,441 SF

PHASE III

N 86°22'07"E 983.60' (M)

SW 35th COURT

SW 35th COURT

SW 35th COURT

SW 35th COURT

SW 35th COURT

SW 21st ROAD

SW 35th COURT

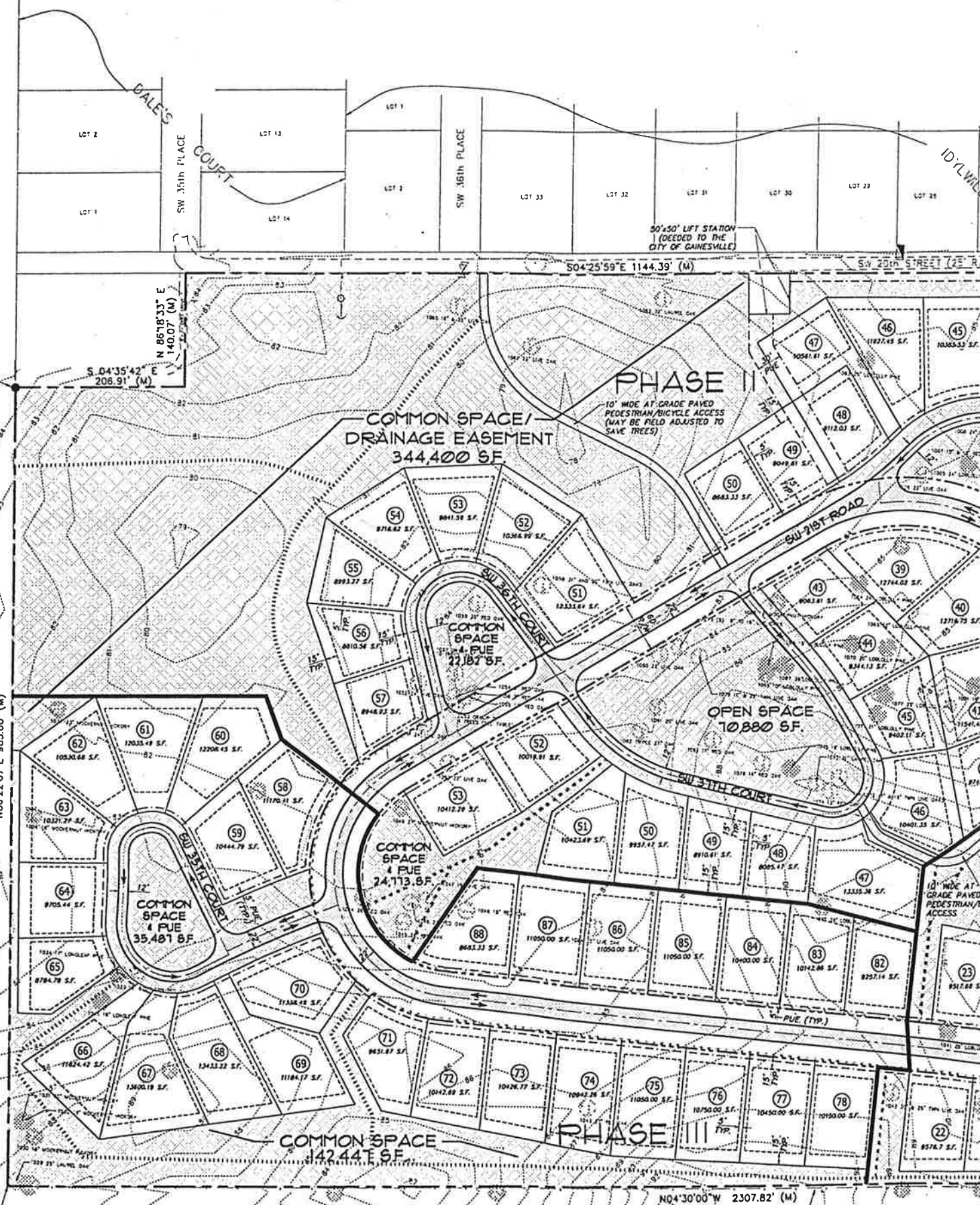
SW 35th COURT

10' WIDE AT GRADE PAVED
PEDESTRIAN/BICYCLE
ACCESS

N 04°30'00" W 2307.82' (M)

FENCE 5 1/2" x 4" OF
BOUNDARY AT ROW LINE

FENCE CORNER 1
N 1/4" x 3 1/2" FROM
PROPERTY CORNER



the board consistent with chapter 395, article II, of these regulations: logging, land clearing, construction, seismographic activities employing explosives, mining, well drilling, low-level aircraft operation, development of new commercial and industrial sites, construction of multi-story and high density housing developments between the nest and the eagle's feeding area, construction of new roads, trails, and canals which would tend to facilitate access to the nest and use of chemicals toxic to wildlife such as herbicides or pesticides. The special use permit may limit specific activities during the eagles' nesting period, usually from October 1 to May 15.

(Ord. No. 87-25, § 1(30.9), 12-22-87)

ARTICLE III: IDYLWILD/SERENOLA

Sec. 394.30. Intent of article.

It is the intent of these regulations to establish development guidelines in the Idylwild/Serenola area so that future land development adequately addresses environmental issues as a part of the development process. These regulations shall apply to all real property lying within the boundaries of the Idylwild/Serenola special area as defined in the future land use element of the Alachua County Comprehensive Plan.

(Ord. No. 92-22, § 1(31.1), 9-28-92)

Sec. 394.31. Modification of standards.

If the combination of standards herein produces a conflict, consideration may be given under the variance procedures of section 391.29 of these regulations to modify one or more of these regulations. The landowner shall submit in writing a complete description of the extent of the conflicts and a range of alternative solutions. The board of adjustment shall determine what variance(s), if any, are necessary.

(Ord. No. 92-22, § 1(31.2), 9-28-92)

Sec. 394.32. Variances.

In situations where a variance from a specific development regulation is considered, the variance shall be reviewed in accordance with section 391.29 of these regulations. In addition to the findings in section 391.29, any specific findings for each environmental resource that are listed in the pertinent sections of these regulations shall also be required in order to approve a variance. (Ord. No. 92-22, § 1(31.3), 9-28-92)

Sec. 394.33. Barriers.

Where provisions of these regulations require barriers for the protection of an environmental resource, the following standards shall be used:

- (1) Barriers shall be constructed of nominal two-inch by four-inch or larger wooden posts, two inches or larger diameter pipe, or other post material of equivalent size and strength and shall be implanted deep enough in the ground to be stable, with at least three feet of the post visible above the ground. The substitution of 36-inch-wide reusable polyethylene barrier fencing for the lumber fencing is acceptable.
- (2) Barrier posts shall be placed at the drip line of any tree to be protected or an area based on two times the tree diameter (inches) in feet.
- (3) All protective posts shall be linked together by lumber fencing at a height of three feet. Each section shall be clearly flagged with flagging tape or other readily visible markers.
- (4) Required barriers shall be erected prior to the construction of any structure, utility service, or other improvement and shall remain in place until such time as completion of construction dictates that removal will not harm the resource.
- (5) The development review committee may grant a waiver to the barrier requirement provided that reasonable alternatives are taken.

(Ord. No. 92-22, § 1(31.4), 9-28-92)

Sec. 394.34. Environmental resources.

The Idylwild/Serenola area contains numerous environmentally sensitive areas. These areas have been generally identified on the environmental resources map in the future land use element. Each area requires special protective regulations as indicated in the study. The applicability of the resource regulations shall be determined during the development review process. Where site specific analysis or verification is required to determine the presence of environmental resources protected herein, the cost of such analysis or verification shall be borne by the applicant. Environmentally sensitive areas may overlap and all applicable regulations shall apply, except as provided in section 394.31.

- (1) *Significant uplands habitat.* This section shall apply to the development of all lands identified as significant uplands after determination of designation in accordance with the Conservation policies of the Alachua County Comprehensive Plan.
 - a. Uplands habitat shall be indicated on all site plans and subdivisions.
 - b. Each nonresidential development shall be designed so that the total mass of all buildings, parking and loading areas shall not occupy in excess of 50 percent of the total site area. The remainder of each development site shall retain the existing undisturbed vegetation.
 - c. Each residential development shall use a planned unit development or cluster development which retains 50 percent of the area as common open space. The common open space shall retain the existing undisturbed vegetation. The selection of the common open space shall be based upon:
 1. Retention of sinkholes, surface waters and wetlands; and
 2. Proximity to other upland habitats.
 - d. The undisturbed vegetation shall be protected during construction by barriers.

- (2) *Wetlands.* This section shall apply to both connected wetlands and isolated wetlands.
 - a. Wetlands shall be protected in accordance with the provisions of the Wetlands Ordinance, chapter 359.
 - b. Sites shall be designed to minimize the disturbance to the wetlands. Parking areas, loading areas and solid waste facilities shall be located away from the wetlands.
 - c. Stormwater facilities shall be designed to augment the function of the wetland and shall not exceed its assimilating capacity.
- (3) *Bald eagle nesting zones.* This section shall apply to any property located within the primary or secondary zone surrounding a bald eagle nest in order to maintain and improve the environmental conditions required for the survival of bald eagles. These regulations shall apply to apparently "abandoned" nests for a period extending through five consecutive breeding seasons of non-use after notification the United States Fish and Wildlife service, the Florida Game and Fresh Water Fish Commission and the Alachua County Office of Environmental protection.
 - a. *Definitions.*
 1. *Primary zone:* The area of eagle habitat situated immediately around the nest. The boundary for this zone is a 750-foot radius around the nest tree.
 2. *Secondary zone:* An area which may provide suitable eagle habitat in the future. The secondary zone shall be outside and adjacent to the primary zone and shall be circular with a boundary of 1,500 feet from the nest tree.
 - b. *Development plans.* All site plans and subdivisions shall show the location of the property in relation to the eagle nest, primary zone, and secondary zone.

c. *Development standards.*

1. There shall be no development activity within the primary zone.
2. Land use within the primary zone shall be limited to passive recreation, farming, grazing, nurseries or gardening. The use of property for any other activity shall require a special use permit. The burden shall be on the applicant to demonstrate that the proposed use will not weaken the integrity of the primary zone. The special use permit may limit activity during the eagle's nesting period, usually from October 1 to May 15.
3. Development within the secondary zone shall cluster units away from the primary zone and shall not include buildings in excess of 35 feet in height or the construction of new roads providing increased access to the nest.

(4) *Paynes Prairie.* This section is intended to provide the State of Florida's Paynes Prairie State Preserve (hereinafter referred to as "the preserve") with adequate buffering from adjacent development.

- a. Development within 660 feet of the preserve shall develop in accordance with the vegetative buffer overlay district provisions of these regulations.

(5) *Tree preservation.* This section is intended to preserve and retain areas containing extensive tree canopies. Due to the exceptional quality of the tree canopy found within the study area, this section is intended to supplant the Tree Ordinance, chapter 347, where this section is more restrictive and shall apply to all real property, including publicly owned lands, lying within the active use residential, tree canopy or significant upland habitats identified on the environmental resources map of the Idylwild/Serenola special study area.

a. *Definitions.*

1. *Initial canopy:* The tree canopy of the regulated trees on the property prior to any development.
2. *Regulated tree:* Any self-supporting woody plant of a species which normally grows to an overall minimum height of 15 feet in the Alachua County area and which has attained a diameter of eight inches or more at a point 4.5 feet above the existing grade.

For the purposes of this section, in order to retain smaller native trees, the definition shall also include the following species which have attained a diameter of six inches as measured at a height of 4.5 feet above the existing grade:

<i>Latin Name</i>	<i>Common Name</i>
Carpinus caroliniana	Blue-beech
Cercis canadensis	Redbud
Chionanthus virginicus	Fringe tree
Cornus florida	Flowering dogwood
Crataegus marshallii	Parsley haw
Ostrya virginiana	Eastern hophornbeam
Prunus umbellata	Flatwoods plum

3. *Tree canopy:* The aerial extent of the tree as determined by a perpendicular line from the ground to the outer edge of the tree's foliage.

b. *Removal permit required.* A regulated tree shall not be removed without a removal permit as provided for hereinafter.

c. *Site plan and approval requirements.*

1. At the time of permit application, a tree survey shall be submitted to the office of codes enforcement. The survey shall locate all regulated trees, spec-

- ifying species, to be protected or removed and the location and extent of initial canopy.
2. Issuance of a permit for tree removal and/or relocation shall be based upon the following criteria:
 - i. That the tree is an immediate safety hazard, either to persons or to domestic animals, or to buildings, or to other constructions, or to motor, or bicycle, or pedestrian traffic; or
 - ii. That the tree is infected with an infestation of harmful insects or fungi that are not generally present on other trees of the species and may reasonably be expected to spread to trees not so infested; or
 - iii. That the tree by its location prevents reasonable use or development of the site, and that no other reasonable alternative to such use or development is possible. In determining the reasonable use or development of the site, the following criteria shall be considered:
 - (a) The need for driveway and site access;
 - (b) Locating the proposed structure(s) and parking areas to minimize tree removal;
 - (c) Location of utilities and surface water drainage; and
 - (d) Essential grade changes; or
 - iv. That the tree, by the normal growth of its branches and roots, is causing progressive damage to existing buildings or other facilities, and that no reasonable correction or prevention is possible other than the tree's removal.
 3. As a condition of the granting of a permit, in order to meet canopy requirements, the development review committee may require the relocation of trees proposed for removal or replacement of the removed trees with other trees planted elsewhere on the site. Replacement trees may be required on a more than one-for-one basis if the replacement trees are smaller than the tree being removed. The tree list in the attachment at the end of this article shall be used as a reference for selecting replacement trees.
 4. No regulated trees shall be removed after the issuance of a certificate of occupancy without securing another permit.
 5. All replacement trees or additional required trees shall be in place prior to the issuance of a certificate of occupancy.
 6. The office of codes enforcement may conduct periodic inspections of the site prior to and during clearing and construction to ensure compliance.
 7. Selective harvesting of regulated trees or tree removal for agricultural purposes, excluding bona fide commercial forestry operations with a forest management plan in effect as required in the Alachua County Tree Ordinance, chapter 347 shall be prohibited without site plan approval from the board of county commissioners after review and recommendation by:

the development review committee. No more than five percent of the initial tree canopy may be removed in any given year. All applications for selective harvesting shall include a management plan which includes a replanting schedule and buffering provisions.

8. All applications for site plan approval shall specify the reason for the tree removal and demonstrate that the tree removal is required. Applications for site plan approval pursuant to this section, shall be treated as a review of minor development plans before the development review committee.
- d. *Canopy requirements in single-family residential districts.* These requirements shall apply to any property located within a single-family residential zoning district.
1. All regulated trees shall be retained within the front, side, and rear yard setback areas; except as provided for in subsection (5)c of this section.
 2. Development shall be clustered in accordance with the Cluster Ordinance, chapter 373, to maintain as many regulated trees as possible.
- e. *Canopy requirements for multifamily and nonresidential districts.* These requirements shall apply to any development located within a multifamily or business/commercial district.
1. All developments shall be designed so as to retain at least 40 percent of the initial canopy.
 2. All development shall be designed so that, in 20 years' time, 50 percent of the property will be underneath tree canopy. In areas identified as significant uplands habitat, this canopy re-

quirement can be satisfied by the 50 percent open space requirement in subsection (1)b of this section. In other areas, existing trees may be relocated or additional trees planted in the appropriate areas to meet this criterion.

3. The additional trees shall conform to the characteristics specified by the publication "Standards for Nursery Stock" available from the State of Florida Department of Agriculture and Consumer Services, Division of Plant Industry. All replacement trees shall be Florida Nursery Grade No. 1 or better and shall have a minimum height of eight feet and a minimum tree caliper of three-fourths inch at the time of planting. (See attachment at the end of this article, "Acceptable Tree Species.")
 4. Other tree species may be added to this list at the discretion of the development review committee. Acceptance or rejection of the additional species will be based upon whether or not the species is a naturally occurring tree in the Idylwild/Serenola area.
- f. *Protection of existing trees.*
1. The development review committee shall determine during site plan review whether existing trees will require protection during construction. This decision shall be based upon the proximity of the area of construction activity and the location of the trees relative to the structure and other facilities. All trees approved for removal shall be exempt from protection requirements.

2. Existing regulated trees may be required to be protected by barriers as provided for in section 394.33.
 3. No grade changes shall be made within the protective barriers without prior approval by the development review committee. Where roots greater than one inch in diameter are damaged or exposed, the roots shall be cut cleanly and covered with soil.
 4. Landscape preparation within the protective barriers shall be limited to hand clearing or shallow discing in the area. Discing shall be limited to a depth of two inches unless specifically approved otherwise by the office of codes enforcement.
 5. No attachments or wires other than those of a protective or nondamaging nature shall be attached to any protected tree.
 6. Trees that have been destroyed or received major damage during construction shall be replaced prior to the issuance of the certificate of occupancy. Replacement trees may be required on a more than one-for-one basis if the replacement trees are smaller than the tree being removed.
- (6) *Archaeologically significant areas.* A number of archaeologically significant areas have been identified within the Idylwild/Serenola study area. These areas are not mapped, but have been generally located during field surveys by representatives of the State of Florida, Division of Historical Resources. Prior to submittal of a site plan or subdivision plat, the developer shall have the exact location and extent of the archaeologically significant site surveyed by a professional archeologist and coordinated with this authority. In order to preserve these important historical resources, the following regulations shall apply to the development of parcels containing archaeologically significant areas:
- a. In-situ preservation of a site is the preferred method of avoiding damage to an archeological resource. Preserving the site is more important than preserving the artifacts alone because the relationship of the artifacts to each other in the site provides valuable information that can be lost when artifacts are removed. Further, preserving the site keeps it available for more sophisticated future research techniques.
 1. When a residential parcel contains an archaeologically significant site, that parcel shall be developed using the zoning district or cluster development in accordance with the Cluster Ordinance, chapter 373, to preserve the archaeologically significant areas as common open space.
 2. When a nonresidential parcel contains an archaeologically significant site, construction shall avoid damage to the site by planning construction to miss the site; if site planning constraints preclude missing the site altogether, then easily removed facilities such as parking lots, tennis courts, or other similar nonpermanent construction may be allowed above the site provided there is "capping" or covering of the archeological site first with a layer of soil to protect the site. Capping may be used where:
 - i. The soils to be covered will not suffer serious compaction;
 - ii. The covering materials are not chemically active;

- iii. The site is one in which the natural processes of deterioration have been effectively arrested; and
- iv. The site has been recorded.
- b. A buffer may be required between the development and the archeological site. The width of the buffer shall be determined on a case-by-case basis by the professional archeologist after consultation with representatives of the State of Florida Division of Historical Resources.
- c. The archeological site, if preserved in-situ, shall be protected from construction activity by the use of barriers, as provided for in section 394.34.
- d. If deemed appropriate after consultation with representatives of the State of Florida Division of Historical Resources, the site may be mitigated through data recovery.
- e. If, during the construction phase of a development, an archeological find is made on a parcel not previously identified as an archaeologically significant site, the developer shall cease work within 20 feet in all directions of the find and within five working days shall notify by writing the office of planning and development and representatives of the State of Florida. The developer shall engage a professional archeologist to have an archeological and historical survey prepared. Within ten working days, the archeologist shall determine, after consultation with the State of Florida Division of Historical Resources, whether or not the find is significant and, if so, the actual dimensions of the site. A significant archeological find is one which:

- 1. Is associated with an event or person of recognized significance in Florida or American history or recognized scientific importance in prehistory;

- 2. Can provide information which is both of demonstrable public interest and useful in addressing scientifically consequential and reasonable archeological research questions;
- 3. Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind;
- 4. Possesses substantial stratigraphic integrity; or
- 5. Involves important research questions that historical research has shown can be answered only with archeological methods.
- f. If the find is not determined to be significant, the developer may resume construction without amendment to the site plan.
- g. If the find is determined to be significant, the developer shall have the option of revising the site plan so as to meet subsection (6)a of this section, or mitigating through data recovery.
- h. If a determination is not made within the ten-working-day time period, then the find shall not be considered significant and the developer may resume construction without amendment to the site plan.
- (7) *Scenic roads.* Crown Road (56th Avenue and 17th Terrace) has been identified as a scenic road. Development activities occurring along Crown Road shall be consistent with the Scenic Road Ordinance, chapter 344.

(Ord. No. 92-22, § 1(31.5), 9-28-92)

Sec. 394.35. Land use.

- (a) *Density.*
- (1) Within the boundaries of the Idylwild/Serenola special area study, the following limitation on allowable residential density shall apply to properties that are

adjacent to parcels designated as Residential 0-2 units per acre or 2-4 units per acre on the Idylwild/Serenola future land use map: For that portion of those adjacent properties within 150 feet of parcels so designated the residential density shall not exceed two units per acre above the maximum zoned density of the designated parcel. The 150 feet shall be measured from the boundary of the zoning district of the parcels so designated, referred to henceforth as the zoned boundary. Adjacent properties shall mean abutting properties or properties which are separated by a private or county right-of-way or easement, but properties that are separated by an arterial road shall not be considered adjacent.

- a. Within that 150 feet, the character of the proposed development shall be the same as the character of development in that adjacent residential zone with regard to the building height and housing type.
- b. The density may be increased by an additional two units per acre for every additional setback of 150 feet from the zone boundary.
- c. Increases in density may be permitted for development of a planned unit development shown to be sufficiently similar in character and intensity so that compatibility is maintained. The planned unit development shall use such techniques as screening and buffering and building height and design restrictions.

(Ord. No. 92-22, § 1(31.6), 9-28-92)

Sec. 394.36. Infrastructure.

Any new development, subdivision or PUD shall be connected to a public water supply and a centralized sewer facility. This regulation shall not apply to the development of single-family lots of more than three acres in size or existing lots of record of less than three acres in size, either of which receive approval by the health department for well and/or septic permits. The burden shall

be on the property owner to demonstrate that a lot of record was existing prior to February 7, 1989. In both cases, the well and/or septic permits shall be considered temporary and shall be valid only until such time as central water and/or sewer capacity is made available. Such development shall then be required to tie into the central system(s).

(Ord. No. 92-22, § 1(31.7), 9-28-92)

**ATTACHMENT
ACCEPTABLE TREE SPECIES**

<i>Latin Name</i>	<i>Common Name</i>
Quercus michauxii	Swamp chestnut oak
Quercus austrina	Bluff oak
Q. shumardii	Shumard oak
Q. falcata var. falcata	Southern red oak
Q. hemisphaerica	Laurel oak
Q. laurifolia	Diamond-leaved oak
Q. nigra	Water oak
Q. virginiana	Southern live oak
Pinus taeda	Loblolly pine
Pinus glabra	Spruce pine
Acer rubrum	Red maple
A. negundo	Box elder
A. barbatum	Florida maple
Fraxinus americana	White ash
Taxodium distichum	Bald cypress
Tilia americana	Basswood
Carpinus caroliniana	Blue beech
Nyasa biflora	Blackgum
Carya glabra	Pignut hickory
Juniperus silicicola	Southern red cedar
Cercis canadensis	Redbud
Celtis laevigata	Hackberry
Chionanthus virginicus	Fringe tree
Cornus florida	Flowering dogwood
Crataegus marshallii	Parsley haw
Gordonia lasianthus	Loblolly bay
Ostrya virginiana	Eastern hophornbeam
Liquidamber styraciflua	Sweetgum
Magnolia grandiflora	Southern magnolia
Persea borbonia	Upland red bay
Persea palustris	Swamp red bay
Prunus umbellata	Flatwoods plum
Ulmus alata	Winged elm

<i>Latin Name</i>	<i>Common Name</i>
Ulmus americana var. Florida	Florida elm
(Ord. No. 92-22, 9-28-92)	

CHAPTER 395. PERMITS*

**ARTICLE I. GENERALLY
(RESERVED)**

ARTICLE II. SPECIAL USE PERMITS†.

Sec. 395.20. Uses requiring special use permit.

Special use permits shall be required for the following uses: special events camping; mines, borrow pits; landfills; manufactured home and mobile home sales; junkyards; produce stands on commercially zoned private property; kennels and their customary accessory uses; package treatment plants, as provided in the Wastewater and Wastewater Treatment Facilities Ordinance, chapter 363, article IV; community service organizations in residential and agricultural zones; parking lots of more than five spaces designed for vehicles in excess of one ton capacity (excluding short-term loading areas) in business/commercial districts; and other uses specifically authorized for special use permits in these regulations; and any other special or unusual uses not otherwise specifically referred to or provided for in these regulations.

(Ord. No. 80-3, § 14.1, 5-7-80; Ord. No. 90-10, § 2, 3-27-90; Ord. No. 92-5, § 1, 4-30-92)

Sec. 395.21. Public uses.

(a) *Applicability.* This article shall apply to the following uses:

- (1) All public uses not otherwise provided for in these regulations, except that the rental or lease of any office space within a build-

*Cross reference—Neighborhood referral system, ch. 325.

†Cross references—Oil and gas exploration, ch. 351; surface mining, land reclamation, ch. 352; dairies, § 312.40 et seq.; wastewater treatment facilities, § 363.50 et seq.

ing by a public body shall not be considered a public use for purposes of this article.

- (2) The location or installation by any utility of a utility structure on any land, whether publicly owned or privately owned.

(b) *General requirements.* Public uses shall comply with the following provisions:

- (1) Any public use may be permitted in accordance with an approved plat of any subdivision or development on which there are established and identified specific areas for public uses designed to serve the subdivision or development.
- (2) Except as otherwise permitted or restricted herein, a public use may be allowed in any district by special use permit.
- (3) All uses permitted in accordance with this article shall meet the lot and building requirements of the zoning district in which they are located, unless otherwise specified.
- (4) A public or private utility is deemed a proper person for purposes of proposing a zoning amendment in accordance with section 396.02 of these regulations.

(c) *Transmitter towers.* In addition to the requirements of this article, transmitter towers must comply with the following provisions:

- (1) Transmitter towers shall not be permitted in any residential district enumerated in chapter 392, article III, of these regulations.
- (2) Transmitter towers shall be located on the lot in such a manner that, in the event of collapse, the tower and supporting devices shall be contained within the confines of the property lines.
- (3) Tower supports, peripheral anchors, guy wires, or other supporting devices shall be located no closer than five feet from any property line.
- (4) Transmitter towers shall comply with the airport impact overlay district restrictions.

(Ord. No. 80-3, § 14.2, 5-7-80; Ord. No. 82-1, § 12, 2-9-82; Ord. No. 92-5, § 1, 4-30-92)



CITY OF GAINESVILLE

Department of Community Development

September 17, 2001

Mr. Stephen A. Nesbitt
Biological Administrator II
Florida Fish and Wildlife Conservation Commission
Wildlife Research Laboratory
4005 South Main Street
Gainesville, FL 32601-9099

RE: Madera Cluster Subdivision

Dear Mr. Nesbitt:

Our office recently received a copy of a letter, dated September 14, 2001, that you wrote to Ms. Wendy Bratzel of Greentrust, Inc., regarding the protection of sandhill cranes on property adjacent to the proposed Madera Cluster Subdivision site. We have reviewed the letter and would greatly appreciate having your office describe in greater detail the type buffer needed to "adequately insulate the cranes from any disturbances associated with the development," as referred to in your letter.

As you may be aware, the design plat for the Madera Cluster Subdivision was approved with conditions by the City of Gainesville, Development Review Board on Thursday, September 12, 2001. The conditions include receiving a written determination from the Florida Fish and Wildlife Conservation Commission on the appropriate buffer to be provided between the proposed development and adjacent property used for feeding by the sandhill cranes. There is concern that the 30-foot buffer proposed along the western boundary of the proposed development will include 15 feet of common area and 15 feet of privately-owned land. The developer has indicated that restrictive covenants will require tree preservation and prohibit building construction within that portion of the buffer that is privately owned. However, the reviewing board expressed concern over the ability of the buffer to protect the sandhill cranes from noise and domestic animals.

The design plat for the Madera Cluster Subdivision must also receive approval from the City Commission. However, before the design plat can be scheduled for review at a commission meeting, the developer must receive a determination from Florida Fish and Wildlife Conservation Commission on the appropriateness of the proposed 30-foot wide buffer. Since our office lacks the expertise needed to make this determination, we would greatly appreciate any assistance that the commission can offer us in establishing a buffer that will protect the sandhill cranes.

Planning Division

P.O. Box 490 • Gainesville, FL 32602-0490
(352) 334-5023 • FAX (352) 334-3259

Stephen A. Nesbitt
September 17, 2001
Page 2

Should you have any questions, or need additional information, please contact me at (352) 334-5023. A copy of the proposed design plat for the Madera Cluster Subdivision has been enclosed to assist you in your review.

Sincerely,



Bedez E. Massey
Planner

BEM:bem

xc: File

#23/nesbitt.doc

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



JULIE K. MORRIS
Sarasota

DAVID K. MEEHAN
St. Petersburg

H.A. "HERKY" HUFFMAN
Deltona

JOHN D. ROOD
Jacksonville

QUINTON L. HEDGEPEETH, DDS
Miami

EDWIN P. ROBERTS, DC
Pensacola

RODNEY BARRETO
Miami

ALLAN L. EGBERT, Ph.D., Executive Director
VICTOR J. HELLER, Assistant Executive Director

WILDLIFE RESEARCH LABORATORY
4005 SOUTH MAIN STREET
GAINESVILLE, FLORIDA 32601-9099
(352) 955-2230 FAX (352) 376-5359

September 24, 2001

Ms. Bedez E. Massey, Planner
City of Gainesville, Planning Division
P.O. Box 490
Gainesville, Florida 32602-0490



Dear Ms. Massey:

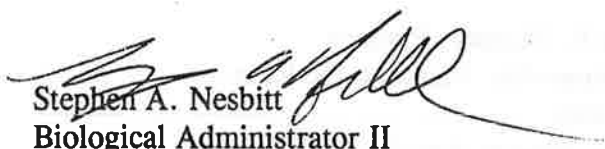
I'm in receipt of your September 17th letter regarding the Madera Cluster development in Gainesville. It is gratifying that the city and the developer (Greentrust) are willing to do what is necessary to maintain the sandhill crane use of the pasture/field adjacent to this site. I have looked over the plat of the proposed development and the 30-foot minimum buffer. The idea of the buffer is to screen the cranes while they are using the field from the activities associated with the homes in the proposed development. It is my opinion that if the screen functions as intended it can serve to preserve the use of this area by cranes. In order to do so the buffer will have to be vegetatively dense enough to screen the cranes from being alerted to the daily comings and goings of the homeowners in the lots adjacent to the field. It will also be important that all homeowners adhere to applicable "leash laws" throughout the development, and dogs should be prohibited from using the buffer area adjacent to the crane feeding pasture/field.

If possible, construction on lots proximate to the buffer should not occur during the months when the wintering cranes might use the field (November 1st - March 15th). I would be available to inspect the buffer before any construction would commence.

This site provides a unique opportunity for a large number of people to observe the cranes. However, it should be pointed out this feeding situation is somewhat atypical and does not represent a natural habitat for the cranes. Therefore, it should be understood that considerations regarding this population of cranes are peculiar to this situation, and not to be construed as this agencies position on the buffers required to protect sandhill crane feeding areas in general.

On behalf of the Florida Fish and Wildlife Conservation Commission, let me express our appreciation for the consideration given to the needs of the wildlife of Florida. If I can be of any additional assistance, do not hesitate to call on me.

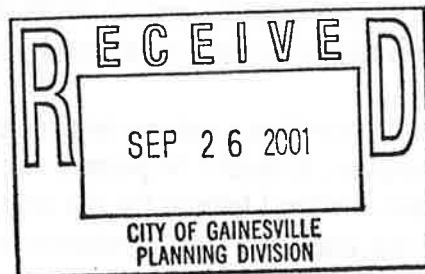
Sincerely yours,


Stephen A. Nesbitt
Biological Administrator II

SAN:pl

cc: Robert Walpole
Terry Gilbert (FFWCC)
Wendy Bratzel

WLD 9-3-1





Board of County Commissioners

**ALACHUA COUNTY
DEPARTMENT OF GROWTH MANAGEMENT
OFFICE OF CODES ENFORCEMENT**

120 South Main Street • First Floor • Gainesville, Florida 32601-6294
Zoning (352) 374-5244 • Building (352) 374-5243
Fax (352) 491-4510 • Suncom 651-5244
Home Page: www.co.alachua.fl.us

Rick Drummond
Growth Management
Director

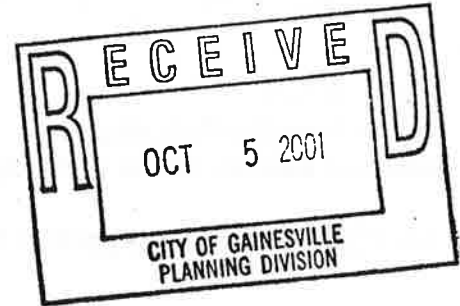
Richard E. Wolf
Codes Enforcement
Director

Carol Hurst
Building Official

Benny Beckham
Zoning Codes Supervisor

October 5, 2001

Mr. Ralph Hilliard, Director
Community Development
City of Gainesville



Dear Mr. Hilliard:

This letter is in regard to the Madera Cluster Subdivision design plat proposed for the Kidd property, located on the north side of Williston Rd. just west of SW 21st Street. The parcel lies within Alachua County's Idylwild/Serenola Special Study Area was recently annexed into the City of Gainesville. The parcel remains subject to the Alachua County Unified Land Development Code until the City of Gainesville changes the zoning and land use designations.

During our September 24 meeting (attended by members of County and City staff, consulting botanist Dr. David Hall, and the applicant Wendy Bratzel [via phone]), City staff expressed concern that the applicant perhaps had not provided a tree survey that adequately met Alachua County requirements for development within the special study area.

On September 26 I met with David Hall and examined the trees on the entire parcel. I have been provided with a copy of the design plat prepared by Causseaux & Ellington. The subdivision streets, common and open areas, and individual lot locations are laid out so as to preserve the most significant trees and clusters of vegetation identified and flagged by Dr. Hall. The design plat depicts locations of heritage and other large or significant trees in the proposed rights-of-way, common areas, and individual lots. In addition, the applicant has provided an aerial photograph of the parcel, a sheet depicting the cluster subdivision layout superimposed upon the existing canopy, Dr. Hall's assessment of the vegetation on the property, and a tree list that includes evaluations of and comments about the most significant trees on the property.

The plans, aerial photograph and other documentation provided by the applicant, together with my evaluation of the property in the company of the consulting botanist satisfy Alachua County's tree survey requirement

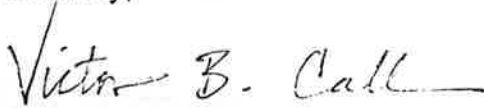


October 5, 2001
Page 2

in this case.

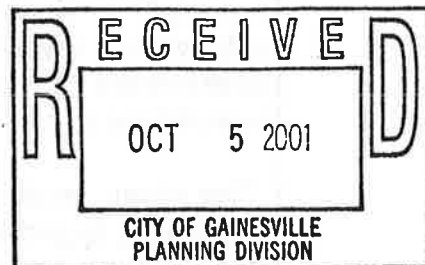
If there are any questions please call me at 384-3086.

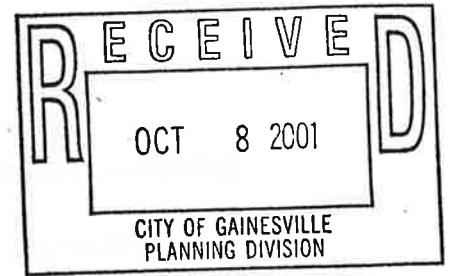
Sincerely,



Victor B. Call
Urban Forester/Arborist
Alachua County Office of Codes Enforcement

Xc: Rick Wolf, Steven Lachnicht, Meg Niederhofer, Wendy Bratzel





MADERA CLUSTER SUBDIVISION

CONSTRUCTION PRACTICES AND OPEN SPACE MANAGEMENT PROVISIONS

Greentrust, LLC, the creator of Madera, is committed to creating a community that is friendly to the environment. Part of this commitment involves the use of energy and resource efficient construction in all homes, which will be enforced through rigorous Conditions, Covenants and Restrictions for the community. The CC&R's will also include stringent guidelines concerning the use and management of open space and private lots before, during, and after construction to preserve and restore the ecological health of the forest habitat and to provide educational and passive recreational opportunities for residents and the general public.

The design process and protection provisions related to site management at Madera are outlined below.

DESIGN TEAM

Madera was designed under the guidance of a team of ecologists and engineers to ensure that the community preserves and enhances the important ecological functions of the site's native mesic hammock forest. The project planners, Ecological Design Associates, LLC, and the project engineers, Causseaux and Ellington, Inc., were assisted by the following individuals:

Dr. Debbie Moralez DeLoach (biologist), private consultant
Dr. Mark Hostetler (wildlife ecologist), University of Florida Wildlife Extension Service
Dr. Pierce Jones (mechanical engineer), University of Florida Energy Extension Service
Dr. David Hall (botanist), private consultant
Dr. Kathleen Ruppert (educator), University of Florida Energy Extension Service

Besides the ongoing involvement by this team of experts, additional support has been offered via the St. John's River Water Management District to develop a showcase native landscaping plan for open space and stormwater management facilities at Madera.

SANDHILL CRANE / WILDLIFE BUFFER

Along the length of its western edge, Madera borders a 40 acre pasture owned by the University of Florida and used for grazing cattle. This pasture is the winter foraging habitat for a population of sandhill cranes (*Grus canadensis*) varying between 300 to 1000 individuals present from November through March.

Although this population of cranes has grown used to human activity on the roads and sidewalks along the southern and western edges of the pasture, it is possible that the wooded backdrop formed by the Madera property offers a sense of safety and protection to the foraging birds. In order to minimize disturbance to the cranes, the Madera design includes a 30 foot protected wooded buffer along its western edge in the form of protected open space and private lots with clearing restrictions. The existing dense forest within the wildlife buffer will be augmented with native understory and subcanopy evergreen plantings shown in Table 1 to screen the cranes from the homes. Plants were selected based on their density of growth, their ease of establishment in a shaded environment, their wildlife cover capability, and their provision of food for songbirds and small mammals.

TABLE 1: Planting list for Wildlife Buffer

Botanical name	Common name	Growth form	Height at maturity
<i>Illicium parviflorum</i>	Yellow anise	Shrub	15 feet
<i>Callicarpa americana</i>	American beautyberry	Shrub	4-6 feet
<i>Viburnum dentatum</i>	Southern arrow-wood	Shrub	5-15 feet
<i>Ilex vomitoria</i>	Yaupon holly	Tree/shrub	20-25 feet
<i>Myrica cerifera</i>	Wax myrtle	Shrub	15-20 feet
<i>Asimina parviflora</i>	Dwarf pawpaw	Tree	6-8 feet
<i>Vaccinium arboreum</i>	Sparkleberry	Shrub	20-30 feet
<i>Vaccinium myrsinites</i>	Ground blueberry	Shrub	6-24 inches
<i>Juniperus sillicicola</i>	Southern red cedar	Tree	25 feet
<i>Juniperus virginiana</i>	Eastern red cedar	Tree	40-50 feet
<i>Viburnum obovatum</i>	Walter's viburnum	Tree/Shrub	20 feet
<i>Ptelea trifoliata</i>	Hoptree	Tree	15-20 feet

In addition to augmenting the existing forest vegetation to provide visual screening between the crane pasture and the homes, further provisions are included in the Design Plat to protect the cranes. These include restrictions on clearing within the buffer area and timing restrictions on the construction on

adjacent lots. In addition, the CC&R's will include strict provisions to prevent owners from allowing dogs into the buffer area. A community-wide interpretive program is also planned to educate residents and the public about the cranes.

DESIGN AND CONSTRUCTION PRACTICES TO PROTECT TREES AND HABITAT AREAS

The design of Madera is based on the desire to tuck homes in among the forest, preserving as much as possible the overhead canopy and the integrity of the forest ecology. To this end, Greentrust has committed to a self-imposed rigorous tree protection policy that is significantly more stringent than that required by code.

The tree protection policy is based on documented methods found in the following publications:

Florida Energy Extension Service and Katherine Allen-Hurt, Eleanor Foerste, and Celeste White. *Trees and Construction: Keeping Trees Alive in the Urban Forest* (Build Green and Profit Special Topics). Gainesville, Florida: University of Florida. 2000.

(Penn State) College of Agricultural Sciences Cooperative Extension and William Elmendorf, Henry Gerhold and Larry Kuhns. *A Guide to Preserving Trees in Development Projects*. University Park, PA: The Pennsylvania State University. (1999).

Matheny, Nelda and James R. Clark. *Trees and Development: A Technical Guide to Preservation of Trees During Land Development*. Champaign, Illinois: International Society of Arboriculture. 1998.

Morgan, Robin. *A Technical Guide to Urban and Community Forestry* (rev. ed.). Portland, Oregon: World Forestry Center. 1993.

Schaefer, Joe and George Tanner. *Landscaping for Florida's Wildlife: Recreating Native Ecosystems in Your Yard*. Gainesville, Florida: University of Florida, Institute of Food and Agricultural Sciences. 1998.

VEGETATION ANALYSIS

Before any design commenced, a thorough vegetation and ecological analysis was conducted on the site under the direction of Dr. David Hall. (The tree list and reports resulting from this analysis are attached.) Eighty-six trees of particular ecological or aesthetic significance were flagged, recorded, and subsequently field surveyed. In addition, areas of interest as vegetation types or high habitat value were recorded. This information formed the basis of the design of the property, with individual trees and vegetation areas predetermining the open space set aside areas. Road alignments and lots were then configured to preserve the remaining trees as much as possible.

Work has already begun on the next stage of design, which involves detailed planning of infrastructure, home placement, and construction practices and policies to further protect native vegetation.

ROADWAYS AND UTILITY CORRIDORS

The roadways at Madera are designed to maximize tree preservation. A narrow, open section roadway with minimum swales, the liberal use of one-way streets and private shared driveways, carefully planned utility alignments, joint trenching of utilities, and environmentally-friendly construction practices all contribute to meeting this goal. The maximum width of clearing within road rights-of-way anywhere at Madera will be 34 feet. Selective curbing will be used to reduce this width down to 30 feet or less as needed to protect individual trees. Specific locations of manholes, transformers, limits of disturbance, construction staging areas, and other impacting uses will be determined via detailed analysis in the field to protect critical root zones of the trees and shrubs to be preserved.

LOTS

Greentrust is working with its design team and with the St. John's River Water Management District to develop a program to protect trees on lots to an extent much greater than that normally realized for production homes. The anticipated program includes a lot-by-lot assessment of trees and shrubs by qualified experts and the determination of an allowable building area and grading limits based on the vegetation assessment. In most cases the allowable building area will be significantly less than that established by code through building setback limits. Prior to construction, the allowed limits of disturbance and stockpiling areas will be staked in the field, tree protection barriers installed, and an effective penalty program established.

TRAILS AND BIKEWAY DESIGN AND CONSTRUCTION

Trails and bikeways alignments will be field adjusted to maximize tree protection and to best support the education and interpretive programs planned for the open space areas at Madera.

STORMWATER MANAGEMENT

Madera is intended as a demonstration project of best management practices for stormwater quality and quantity treatment. Working in partnership with the St. John's River Water Management District, Greentrust is employing a three-part strategy:

1. Maximize immediate infiltration by minimizing grading, avoiding concentration of flow where possible, and using vegetated buffers;
2. Retain a large natural basin on site as undisturbed forest to allow continued function of the delayed infiltration that occurs naturally;
3. Design a new stormwater dry basin as a visual showpiece to demonstrate the beauty and effectiveness of infiltration basins planted in native vegetation.

In order to maximize the effectiveness and aesthetic appeal of the stormwater management program at Madera, Greentrust invested considerable time and resources into the engineering and design of this program in the early conceptual phases of project design. Along with tree and habitat preservation, stormwater needs formed the basis of the open space and site plan for the community.

SEDIMENT AND EROSION CONTROL PLAN

A rigorous sediment and erosion control program is planned for Madera. Techniques such as minimizing the extent and length of time of exposed soils, minimizing grading, correctly installing and maintaining silt fencing, and frequent monitoring of construction activities are planned. This program will be further developed at later stages of design.

INVASIVE EXOTIC VEGETATION MANAGEMENT PLAN

The forest community at the Madera site has been compromised by the invasion of noxious exotic vegetation, primarily on its eastern borders. Greentrust is working with its team of experts to develop short and long-term management plans for these exotic invasive plants. The short-term strategy includes the manual removal of plants and subsequent smothering of the invaded areas with a thick layer of mulch generated on-site. This may be augmented with judicious use of environmentally-responsible herbicides as necessary. The long-term

strategy includes a community-wide education program and periodic invasive plant clean-up events under the direction of the University of Florida Cooperative Extension Service and/or the Madera Home Owners Association.

NATIVE LANDSCAPING PLAN

One of the most promising aspects of the Madera site management program is its potential as a showplace of the beauty of native and water-conserving landscaping. Greentrust is working closely with its design team and with the St. John's River Water Management District to develop a high-profile demonstration landscaping program. The beauty of the natural preserved forest will be enhanced by native plantings in visually-prominent areas. The entrance to the development, community gathering areas, the stormwater dry basin, bikeways, and other areas will become the sites of demonstration plantings emphasizing the aesthetic potential of water-conserving plantscapes. Builders in the project will have to follow a strict standard of acceptable initial plantings, and the CC&R's for the community will enforce long-term standards to minimize irrigation and prohibit the planting of potentially invasive non-native species. In addition, the ongoing educational program will encourage and support homeowners in using native plantings in their own gardens.

1. Petition 82SUB-01 DB Benjamin D. Tecler, Agent for Kidd & Kidd. Design plat review for 88 lots on 44.59 acres MOL. Zoned: R1-a (Alachua County zoning). Located in the vicinity of SR 331 (Williston Road) and Southwest 21st Street, north side.

Ms. Bedez Massey was recognized. Ms. Massey presented a map of the site and described it in detail. She noted that the property retained its County R1-A Zoning category even though the City had annexed it. She discussed the Idylwild/Serenola Special Area Study requirements that were applied to the property. She noted that the board had received comments from both City and County staff on the proposed subdivision.

Mr. Robert Walpole, agent for the petitioner, was recognized. Mr. Walpole presented a drawing of the subdivision and described it in detail. He pointed out that the subdivision was developed under County zoning regulations. He discussed the layout of the subdivision and noted that there would be many features designed to save trees, including clustering of development, twelve-foot wide private drives, common open space, and stormwater management. Mr. Walpole noted that the project also involved the University of Florida Energy Extension and the St. John's River Water Management District to develop energy efficient homes and appropriate stormwater functions. He pointed out nature trails, paved and non-paved bicycle trails and pedestrian access. He explained that there would be kiosks along the trails to provide information on the natural areas. Mr. Walpole indicated that he agreed with all of staff's comments and conditions. He offered to answer any questions from the board.

Mr. Boyes asked about the sensitive environmental issues involved in the project.

Mr. Walpole indicated that they were density and tree preservation. He noted that one of staff's conditions was that a full tree survey be performed.

There was discussion of the sinkhole on the property.

Chair Polopolus asked about the protection of the Sand Hill Cranes feeding nearby during certain times of the year.

Mr. Walpole explained that Mr. Steve Nesbitt of the Florida Fish and Wildlife Conservation Commission sent an e-mail regarding the issue of the Cranes. He indicated that the e-mail explained that a buffer was necessary between the project and the Crane's feeding area. He explained that the petitioner wanted to have 30 feet of natural vegetation, but staff indicated that Mr. Nesbitt requested that a fence be provided, too. Mr. Walpole stated that the petitioner agreed to provide the fence.

Ms. Massey reviewed City and County staff's comments and conditions on the petition. She stressed the need for a tree survey and a six to eight-foot tall fence along the western boundary to protect the Cranes. She indicated that staff had added a condition that the petitioner provide a minimum of a six-foot privacy fence to be in place prior to construction of the development. Ms. Massey also requested that construction along the western border of the development not occur between the months of November and February. She noted that if structures such as kiosks were included in the development, they would be required to meet regulations for setbacks and design. Ms. Massey offered to answer any questions from the board.

Chair Polopolus noted that there was no information in the board's packets about the kiosks.

Ms. Massey explained that staff had no information on the kiosks other than that offered by the petitioner in his presentation. She reiterated the need for review of the proposal.

Chair Polopolus indicated that it had been her experience that wooden fences deteriorated and became unsightly. She asked who would be responsible for maintenance of the fence.

Ms. Massey indicated that the intent was to maintain a 30-foot vegetative buffer. She explained that a privacy fence was selected because staff did not want a masonry wall, which might cause the removal of vegetation. She noted that staff would also be receptive to a vinyl-coated chainlink fence. She explained that the idea was to prevent domestic animals such as dogs and cats from crossing to the Crane habitat.

Mr. Boyes noted that the staff report indicated that the Alachua County Environmental Protection Department (ACEPD) approved the petition with conditions, but the conditions had not been provided.

Ms. Massey indicated that she spoke with Mr. Michael Drummond of ACEPD, and he had no written comments. She explained that the western border was discussed and Mr. Drummond's comments were included in staff's report. She noted that many of the Planning Division's comments were based upon comments made by Mr. Drummond at the Technical Review Committee meeting.

Ms. Cooper asked how many trees would be in the western buffer area.

Ms. Massey indicated that staff did not know how many trees there were in the area; therefore, staff requested that a complete tree survey be performed. At the request of the board, Ms. Massey explained that there would be a 15-foot vegetative buffer and a 15-foot undisturbed setback along the western property line.

Mr. Boyes asked what assurance the City had that a sufficient buffer would exist between the development and the Crane habitat.

Ms. Massey stated that the developer followed the setbacks allowed by Alachua County's regulations. She explained that staff did not know if it was sufficient to protect the Crane habitat, therefore, staff requested an official statement from the Wildlife Commission on the issue. She referred to Condition #9 in the Planning staff report.

Mr. Calderon noted that there were a number of agencies interested in the project and the City Commission would review it.

There was discussion of the layout of the lots.

Chair Polopolus opened the floor to public comment.

Mr. Eugene Parrish, resident adjacent to the site, was recognized. Mr. Parrish asked about the varying width of the buffer near his property.

Ms. Massey discussed the requirements for the buffers under the Alachua County Code.

Mr. Walpole pointed out the common open space area.

Ms. Ingrid Wassafal was recognized. Ms. Wassafal discussed her involvement in planning the development of the property. She indicated that she supported the petitioner's proposal.

Mr. John Stinson, resident near the site, was recognized. Mr. Stinson pointed out that, the surrounding area, although zoned the same, did not have the density of the proposed development. He cited a concern about the number of trees to be destroyed for home sites.

Ms. Bonnie Flosig was recognized. Ms. Flosig cited concerns about the Cranes, but supported the development. She explained that she was concerned about alternative development on the site. She cited a concern about traffic. She noted that County trash collectors used the Kidd property to turn their trucks around and would not be able to do so if it was developed.

Mr. Kyle Wassafal was recognized. Mr. Wassafal asked about the process of the proposed development.

Mr. Calderon explained that the proposed subdivision would go to the City Commission for design plat.

Mr. Chris Philly was recognized. Mr. Philly indicated that he supported the proposal.

Chair Polopolus closed the public portion of the meeting and called for board comment.

Mr. Boyes indicated that he had a concern about the buffer on lots 15 - 22 and 76 - 78 on the west side of the property as it pertained to the Sandhill Cranes.

Ms. Massey noted that the information could be requested from the Florida Fish and Wildlife Commission on the best way to deal with the fence and buffer.

Chair Polopolus asked if the petitioner was agreeable to follow the recommendations of the Wildlife Commission.

Mr. Walpole explained that Mr. Nesbitt would be making the formal recommendation from the Fish and Wildlife Commission. He pointed out that Mr. Nesbitt had recommended a six to eight-foot fence in his e-mail.

Chair Polopolus asked who would maintain the fence.

Mr. Walpole indicated that it would have to be maintained by the homeowners association.

Mr. Houston indicated that he was comfortable with the staff recommendations.

Chair Polopolus agreed.

Mr. Houston made a motion to approve the petition.

Chair Polopolus passed the gavel to Mr. Houston and seconded the motion.

Mr. Walpole indicated that a provision would be made in the plan for the garbage trucks to turn around.

There was discussion of the petition and the proposed buffer along the west side of the property.

Mr. Calderon explained that staff would work on the issue of the buffer.

Mr. Walpole reiterated that he had followed the recommendations of Alachua County and Mr. Nesbitt regarding the separation of the development from the Crane habitat.

<u>Motion By:</u> Mr. Houston	<u>Seconded By:</u> Ms. Polopolus
<u>Moved To:</u> Approve Petition 82SUB-01 DB, with staff conditions and the conditions that a barrier of at least six feet in height be placed on the west property line, that the barrier be provided prior to commencement of construction, that there be no construction on the western boundary of the property from the months of November through February, that information on setbacks and dimensional requirements for the kiosks be provided, that the sinkhole on the property be labeled as such, and that the petitioner treat the western property line as designated by the Florida Fish and Wildlife Commission.	<u>Upon Vote:</u> Motion Carried 3-0 Yeas: Houston, Boyes, Polopolus