

TO: City Plan Board

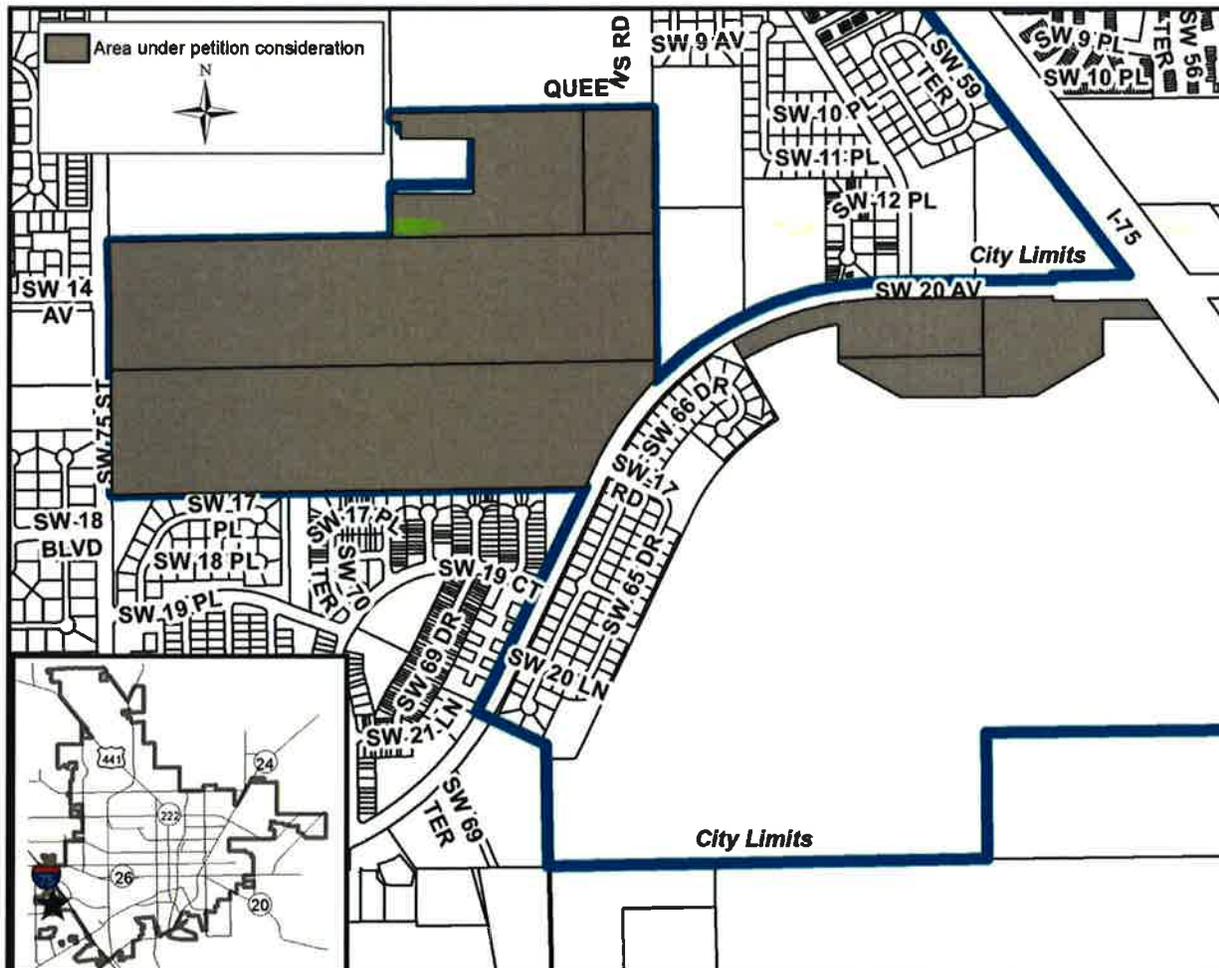
Item Number: 6

FROM: Planning & Development Services Department Staff DATE: September 22, 2016

SUBJECT: **Petition PB-16-108 ZON.** City of Gainesville. Rezone property from Alachua County Multiple-family, medium-high density district (R-2A), and Single family, low density district (R-1a) to City of Gainesville MU-2: 12-30 units /acre mixed use medium intensity, MU-1: 8-30 units/acre mixed use low intensity, RMF-7: 8-21 units/acre multiple-family residential district, RMF-5: 12 units/acre single-family/multiple-family residential district, and RSF-4: 8 units/acre single-family residential district. The property is generally located between the 1300-1800 block of Tower Road (75th Street) and the 1800 block of SW 20th Avenue, and includes an area south of SW 20th Avenue and west of I-75. Related to PB-16-107 LUC.

Recommendation

Staff recommends approval of Petition PB-16-108 ZON.



Description

This zoning petition pertains to an approximately 157-acre, undeveloped property that was voluntarily annexed into the City on June 16, 2016 by Ordinance No. 150912. It is generally surrounded by developed residential areas (single-family, duplexes, and multi-family (including 4-plexes, and it abuts UF's radio tower property to its north. It also abuts undeveloped, wooded property that on the east side of the UF property. The majority (approximately 134.53 acres) of the property is between SW 75th Street/Tower Road which it fronts on its west side (across from which are single—family neighborhoods and Oak Hall School), and SW 20th Avenue to the southeast. The remainder of the property (approximately 22.2 acres) is on the south side of SW 20th Avenue and east of the Portofino, single-family residential development, west of I-75, and north of the City's Split Rock Conservation Area. This part of the property is both undeveloped and wooded, whereas the larger, northern part of the property is undeveloped but has mostly been logged.

See Table 1 on Page 12 for a tabular summary of adjacent existing uses and adjacent zoning and land use categories.

See Exhibit B-1 for an aerial photograph of the property and surrounding area. Exhibits B-2 and B-3 are maps that show the existing and proposed land use categories.

This petition is related to Petition PB-16-107 LUC, which proposes a large-scale comprehensive plan amendment from Alachua County Medium High Density Residential (8-14 DU/acre) (RMH) and Low Density Residential (1-4 DU/acre) (RL) to City of Gainesville Mixed-Use Medium-Intensity (12-30 units per acre), Mixed-Use Low-Intensity (8-30 units per acre), Residential Medium-Density (8-30 units per acre), Residential Low-Density (up to 12 units per acre), and Single-Family (up to 8 units per acre).

Key Issues

- The City is required to place City land use and zoning on annexed property.
- The proposed rezoning to City of Gainesville MU-2: 12-30 units /acre mixed use medium intensity, MU-1: 8-30 units/acre mixed use low intensity, RMF-7: 8-21 units/acre multiple-family residential district, RMF-5: 12 units/acre single—family/multiple-family residential district, and RSF-4: 8 units/acre single-family residential district is consistent with the City's Comprehensive Plan and supports mixed use development and residential development of a vacant property within an urbanized area.
- Because this proposed rezoning (and related comprehensive plan amendment) allows for future development that exceeds the DRI (Development of Regional Impact, Section 390.06, F.S.) threshold for multi-use development, Future Land Use Element Policy 3.4.4 and Policy 10.8.1 of the Transportation Mobility Element (TME) pertain, which require large developments to address their regional impacts.

Basis for Recommendation

The staff recommendation is based on the five following factors, which are discussed below: Conformance with the Comprehensive Plan; Conformance with the Land Development Code; Changed Conditions; Compatibility; and Impacts on Affordable Housing.

1. Conformance with the Comprehensive Plan

This zoning petition is consistent with the overall goal (Goal 1 of the Future Land Use Element (FLUE)) of the City to improve the quality of life and achieve a sustainable development pattern, in part by ensuring that a percentage of land uses are mixed. The proposed zoning changes to two mixed use and three residential categories are consistent with Future Land Use Element Policies 1.1.1, 1.1.2, and 1.2.3, Objective 1.5, and Policy 4.2.1, and with Intergovernmental Coordination Element Policy 1.3.6, which requires coordination with Alachua County regarding comprehensive plan amendments (this zoning petition will implement the related large-scale comprehensive plan amendment proposed by Petition PB-16-107 LUC) that may impact adopted LOS standards within the County. Future Land Use Element Policy 3.4.4 requires that large developments that trip the DRI threshold be required to address their regional impacts. Please see below for these and other policies pertaining to this zoning petition.

See Exhibit A-1 - Comprehensive Plan - Transportation Mobility Element GOPs, for transportation-related policies relevant to this proposed amendment.

The requested MU-2: 12-30 units /acre mixed use medium intensity, MU-1: 8-30 units/acre mixed use low intensity zoning will increase the range of development opportunities for this property by allowing a mix of residential and non-residential uses. The requested RMF-7 (8-21 units/acre multiple-family residential), RMF-5 (12 units/acre single-family/multiple-family residential), and RSF-4 (8 units/acre single-family residential) districts in combination with potential residential use within the proposed mixed-use (MU-2 and MU-1) areas, will allow for a net increase (relative to the current Alachua County land use categories) in the potential number of residential units on the property. Future development of this large, undeveloped property in accordance with the proposed mixed-use and residential zoning categories is supportive of the City's objectives of discouraging urban sprawl and encouraging infill development.

Future Land Use Element

Goal 1 Improve the quality of life and achieve a superior, sustainable, development pattern in the City by creating and maintaining choices in housing, offices, retail, and workplaces, and ensuring that a percentage of land uses are mixed, and within walking distance of important destinations.

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

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

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

Objective 1.5 Discourage the proliferation of urban sprawl.

Policy 3.4.4 Notwithstanding the state law exemption from the state development-of-regional-impact (DRI) review process for dense urban land areas as provided in Section 380.06, F.S., large developments that trip the DRI threshold shall be required to address their regional impacts, consistent with the City's coordination policies in the Intergovernmental Coordination Element.

Policy 4.2.1 The City shall adopt land development regulations that provide protection for adjacent residential areas and low intensity uses from the impacts of high intensity uses by separating intense uses from low-intensity uses by transitional uses and by performance measures. Performance measures shall address the buffering of adjacent uses by landscape, building type and site design. Regulation of building type shall insure compatibility of building scale, and overall building appearance in selected areas. Regulation of site design shall address orientation. Such regulation shall also include arrangement of functions within a site, such as parking, loading, waste disposal, access points, outdoor uses and mechanical equipment; and the preservation of site characteristics such as topography, natural features and tree canopy.

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

Mixed-Use Medium-Intensity (12-30 units per acre), Mixed-Use Low-Intensity (8-30 units per acre), Residential Medium-Density (8-30 units per acre), Residential Low-Density (up to 12 units per acre), and Single-Family (up to 8 units per acre).

Single-Family (up to 8 units per acre)

This land use category shall allow single-family detached dwellings at densities up to 8 dwelling units per acre. The Single-Family land use classification identifies those areas within the City that, due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for single-family development. Land development regulations shall determine the performance measures and gradations of density. Land development regulations shall specify criteria for the siting of low-intensity residential facilities to accommodate special need populations and appropriate community-level institutional facilities such as places of religious assembly, public and private schools other than institutions of higher learning, and libraries. Land development regulations shall allow home occupations in conjunction with single-family dwellings under certain limitations.

Residential Low-Density (up to 12 units per acre)

This land use category shall allow dwellings at densities up to 12 units per acre. The Residential Low-Density land use classification identifies those areas within the City that, due to topography,

soil conditions, surrounding land uses and development patterns, are appropriate for single-family development, particularly the conservation of existing traditional low density neighborhoods, single-family attached and zero-lot line development, and small-scale multi-family development. Land development regulations shall determine gradations of density, specific uses and performance measures. Land development regulations shall specify criteria for the siting of low-intensity residential facilities to accommodate special need populations and appropriate community level institutional facilities such as places of religious assembly, public and private schools other than institutions of higher learning, and libraries. Land development regulations shall allow home occupations; accessory units in conjunction with single-family dwellings; and bed-and-breakfast establishments within certain limitations.

Residential Medium-Density (8-30 units per acre)

This land use classification shall allow single-family and multi-family development at densities from 8 to 30 dwelling units per acre. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. The land shown as Residential Medium-Density on the Future Land Use Map identifies those areas within the City that, due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for single-family, and medium-intensity multi-family development. Land development regulations shall determine gradations of density and specific uses. Land development regulations shall specify criteria for the siting of appropriate medium-intensity residential facilities to accommodate special need populations and appropriate community-level institutional facilities such as places of religious assembly, public and private schools other than institutions of higher learning, and libraries. Land development regulations shall allow home occupations within certain limitations.

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

This category allows a mixture of residential and non-residential uses such as standard lot single-family houses, small-lot single-family houses, duplex houses, townhouses (attached housing), accessory dwelling units, group homes, multi-family housing (if compatible in scale and character with other dwellings in the proposed neighborhood), offices scaled to serve the surrounding neighborhood, retail scaled to serve the surrounding neighborhood, public and private schools, places of religious assembly and other community civic uses, and traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance. Residential development shall be limited to 8 to 30 units per acres. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. Intensity will be controlled, in part, by adopting land development regulations that establish height limits of 5 stories or less; however, height may be increased to a maximum of 8 stories by special use permit. Land development regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 10 acres or larger. At a minimum, the land development regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential; or, that the surrounding area of equal or greater size than the development or redevelopment site, and within 1/4 mile of the site, have a residential density of at least 6 units per acre. Residential use shall not be a required development

component for public and private schools, institutions of higher learning, places of religious assembly and other community civic uses. Buildings in this category shall face the street and have modest (or no) front setbacks.

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

Mixed-Use Medium-Intensity (12-30 units per acre)

This category allows a mixture of residential, office, business and light industrial uses concentrated in mapped areas. This category shall also allow traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance. Public and private schools, institutions of higher learning, places of religious assembly and community facilities shall be appropriate in this category. Such development shall function as neighborhood center serving multiple neighborhoods. It is not expected that these areas shall be expanded significantly during this planning period. Land development regulations shall ensure a compact, pedestrian environment for these areas; provide guidelines for the compatibility of permitted uses; and ensure that such areas do not serve overlapping market areas of other designated medium-intensity neighborhood centers. Residential development shall be limited to 12 to 30 units per acre. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. Intensity will be controlled, in part, by adopting land development regulations that establish height limits of 5 stories or less; however, height may be increased to a maximum of 8 stories by special use permit. Land development regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 10 acres or larger. At a minimum, the land development regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential; or, that the surrounding area of equal or greater size than the development or redevelopment site, and within 1/4 mile of the site, have a residential density of at least 6 units per acre. Residential use shall not be a required development component for public and private schools, institutions of higher learning, places of religious assembly and community facilities. Buildings in this land use category shall face the street and have modest (or no) front setbacks.

Objective 4.4 Newly annexed lands shall retain land uses as designated by Alachua County until the Future Land Use Element of this Plan is amended.

Policy 4.4.1 Land use amendments should be prepared for all annexed properties within one year of annexation.

Policy 4.4.2 Alachua County LOS standards shall apply until newly annexed lands are given land use designations in this Plan.

Intergovernmental Coordination Element

Policy 1.3.6 The City shall coordinate with Alachua County, FDOT, and other municipalities to adopt concurrency management mechanisms to maintain adopted LOS standards by:

- a. Reviewing all County and City of Alachua Land Use Amendments that may impact adopted LOS standards within the City of Gainesville;
- b. Requesting that Alachua County reviews and comments on City of Gainesville Land Use Amendments that may impact adopted LOS standards within the County; and
- c. Requesting that the City of Alachua reviews and comments on City of Gainesville Land Use Amendments that may impact adopted LOS standards within the City of Alachua.

2. Conformance with the Land Development Code

The requested MU-2 (Mixed use medium intensity district) zoning will implement the MUM land use category proposed by related Petition PB-16-107 LUC. Section 30-65 states that the “mixed-use medium intensity district is established for the purpose of providing a mix of employment, retail, professional, service and residential uses in medium level activity centers. The district is intended to encourage a reduction in the number and length of vehicular trips by providing for basic needs and employment opportunities within close proximity to residential areas. Such districts are established to allow uses compatible with each other and with surrounding residential areas to be clustered in a compact urban center.” Among the objectives of the MU-2 district are encouraging large, mixed-use developments to locate on land that is physically capable of supporting the proposed development; ensuring that new development within the district is integrated with existing development; requiring appropriate buffering or screening around large mixed-use development to maintain compatibility with surrounding land uses. See Exhibit B-4 (Sec. 30-65. - Mixed use medium intensity district (MU-2)). Also see Exhibit B-9 (Sec. 30-67. - General provisions for business and mixed use districts).

The requested MU-1 (Mixed use low intensity district) will implement the MUL land use category proposed by related Petition PB-16-107 LUC. Section 30-64 states that “the mixed-use low intensity district is established for the purpose of allowing coordinated developments designed to offer a mixture of residential, convenience-type retail, professional and consumer service uses primarily for residents of mixed-use and adjacent residential neighborhoods, and places of religious assembly. The district is intended to reduce the length and number of vehicular trips by providing for basic needs within close proximity to residential areas, by encouraging pedestrian access, and by the combining of trips. This district is established to allow uses compatible with each other and with surrounding residential areas to be developed near each other.” Among the objectives of the MU-1 district are: permitting compatible commercial, office, service and residential developments that benefit from being located near each other; minimizing traffic congestion by requiring that shopping center and/or mixed-use developments be located on appropriate major collector and arterial roadway and by encouraging

pedestrian and nonautomotive access; and requiring buffering or screening around nonresidential and/or mixed-use development when the development abuts any property with residential land use or zoning. See Exhibit B-5 (Sec. 30-64. - Mixed use low intensity district (MU-1)). Also see Exhibit B-9 (Sec. 30-67. - General provisions for business and mixed use districts).

The requested RMF-7 (8-21 units/acre multiple-family residential), RMF-5 (12 units/acre single-family/multiple-family residential), and RSF-4 (8 units/acre single-family residential) zoning districts will implement the corresponding, proposed RM, RL and SF land use categories. See Exhibits B-6 (Sec. 30-51. - Single-family residential districts (RSF-1, RSF-2, RSF-3 and RSF-4)), B-7 (Sec. 30-52. - Residential low density districts (RMF-5, RC and MH)), and B-8 (Sec. 30-53. - Multiple-family medium density residential districts (RMF-6, RMF-7 and RMF-8)).

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

3. Changed Conditions

The major changed condition is that this undeveloped property was annexed into the City of Gainesville on June 16, 2016. Another changed condition is that earlier in 2016, when the property was under the jurisdiction of Alachua County, most of the 134.53-acre northern part (north of SW 20th Avenue) of the approximately 157-acre property was logged/cleared of trees after receiving County approval for the timber-cutting.

4. Compatibility

The proposed RMF-5 single-family/multiple-family residential district, RSF-4 single-family residential district are compatible with the adjacent residential properties and the surrounding area. The proposed RMF-7 multiple-family residential district is compatible with the adjacent UF Campus Master Plan – Support (UF radio tower) property, which is comprised of a large, grassy field with a radio tower and a small, ancillary building that are approximately 1,000 feet to the north of the RMF-7 area. RMF-7 is also compatible with the residentially-zoned (Alachua County R-2A (Multiple-Family, Medium-High Density (8-14 units/acre)), wooded/undeveloped property east of the UF property. The proposed MU-2 (12-30 units /acre mixed use medium intensity) area fronts SW 75th Street (Tower Road) to the west, which separates this area from the residential and institutional uses on the west side of Tower Road. The proposed MU-2 area is also adjacent to several single-family properties to the south. The proposed MU-1 (8-30 units/acre mixed use low intensity) area is adjacent to 4-plex and duplex residential properties to the south. Compatibility with the adjacent and nearby residential properties will be assured by meeting all applicable requirements of the Land Development Code, including landscape buffers, lighting and noise.

5. Impacts on Affordable Housing

The proposed zoning changes should have a positive impact on the supply of potential affordable housing in the City. The proposed mixed-use and residential City of Gainesville zoning districts will increase the potential for future residential development by allowing for a net increase of at

least 84 residential units relative to the current, Alachua County zoning designations of R-2A (8-14 units per acre) on 134.53 acres and R-1A (1-4 units per acre) on 22.2 acres.

Transportation

The proposed rezoning of this undeveloped property within Zone D of the Gainesville Transportation Mobility Program Area (TMPA) will have transportation system impacts, and they can be addressed through various policies of the Transportation Mobility Element. Development within TMPA Zone D is not required to meet level of service (LOS) requirements for concurrency, but is required to comply with the TMPA Zone D requirements of Policies and 10.1.4, 10.1.5, 10.1.9, and 10.1.10 of the Transportation Mobility Element (TME). Because the property is within the University of Florida (UF) Context Area, all new multi-family development is required by Policy 10.1.14 of the TME to fund capital transit costs associated with transit service needs of proposed development. (See Exhibit A-1, Comprehensive Plan GOPs, for the aforementioned and other TME Policies.)

Because the proposed zoning allows for future development that exceeds the DRI (Development of Regional Impact, Section 390.06, F.S.) threshold (see *Note below), Policy 10.8.1 of the Transportation Mobility Element (TME) pertains. In addition to other provisions, Policy 10.8.1 states that the “City shall require large developments that meet the DRI threshold to address regional impacts on facilities.” City and County transportation staff met on May 5th with a consultant representing Oak Hall School (and representing an entity interested in future development of part of the recently annexed, subject property) to discuss the location of a future roundabout on Tower Road (SW 75th ST) and access from Oak Hall (and from the recently annexed property). Traffic generation was not discussed at that meeting. County and City transportation staff will need to coordinate transportation impact review of any proposed future development of the subject property. Tower Road and SW 20th Avenue are County-regulated roadways that are respectively at 100 percent and 98 percent of capacity per the Multimodal Level of Service Report of the MTPO. A major traffic study will be required, and impacts on County and on any impacted State roadways must be assessed.

(*Note: The 2,251 residential units proposed in the related comprehensive plan amendment (Petition PB-16-107 LUC) exceeds the DRI residential threshold of 2,000 residential units, and is therefore 112.55 percent of the residential threshold. The proposed non-residential development area total of 145,500 sq. ft. is 36.37 percent of the 400,000 sq. ft. threshold for shopping centers. The pertinent threshold is that for multi-use development (28-028, F.A.C.), which is 130 percent of the sum of the percentages of the component thresholds. The sum of 112.55 percent and 36.37 percent is 148.92 percent, which exceeds the 130 percent threshold for multi-use development. This proposed comprehensive plan amendment therefore exceeds the applicable DRI threshold.

This zoning petition proposes 2,055 residential units (rather than 2,251 in the land use petition), which is 102.75 percent of the DRI residential threshold. Added to the 36.37 percent of the DRI shopping center threshold, the sum is 139.125 percent, which exceeds the DRI multi-use development threshold of 130 percent of the sum of the percentages of the component thresholds).

On page 8 of the Justification Report (Revised) dated August 25, 2016 (within Exhibit C-1 – Application), CHW Professional Consultants estimated the Potential Net Trip Generation for this City of Gainesville application. The comparison was between potential future development under the proposed zoning districts, and potential development under the current County zoning categories. The estimated number total net trips is 7,001 Average Daily Trips (AADT) for 145,500 sq. ft. of shopping center and 2,055 residential units, and the total for net PM peak trips is 622.

This property is served by SW 20th Avenue (2-lane, Major County Roadway and Multimodal Corridor with bike lanes on both sides) to the east, and SW 75th Street (2-lane, Major County Roadway) to the west. SW 75th Street (Tower Road) has no bike lanes and has a narrow (max. 3.5 ft. in width) sidewalk on the west side and no sidewalk on the undeveloped east side.

The property is also served by RTS Routes 75 (Oaks Mall to Butler Plaza Transfer Station) and 76 (Santa Fe to Haile Market Square) along SW 20th Avenue, and by RTS Route 75 along Tower Road (SW 75th Street). Route 75 provides weekday service every 40-60 minutes and weekend service every 2 hours. Route 76 provides service every 60 minutes on weekdays and no service on weekends.

The proposed zoning changes from Alachua County Multiple-family, medium-high density district (R-2A), and Single family, low density district (R-1a) to City of Gainesville MU-2: 12-30 units /acre mixed use medium intensity, MU-1: 8-30 units/acre mixed use low intensity, RMF-7: 8-21 units/acre multiple-family residential district, RMF-5: 12 units/acre single-family/multiple-family residential district, and RSF-4: 8 units/acre single-family residential district change the allowable maximum residential densities, allow for future mixed-use development (allows both non-residential and residential), and will increase the number of trips generated by future development of this 157-acre property.

Environmental Impacts and Constraints

The property is predominantly in FEMA Flood Zone X (which corresponds to areas outside the 100-year floodplains, areas of 100-year sheet flow flooding where average depths are less than 1 foot, areas of 100-year stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 100-year flood by levees), which is generally considered to be the non-risk zone. The remainder (approximately 5.9 percent) of the property is in FEMA Flood Zone A (Zone A corresponds to a 1 percent chance every year that flood waters will inundate the area, or 100 percent chance over a 100 year period. Zone A floodplains are determined by approximate methods. No base flood elevations or depths are shown within this zone.) See Exhibit B-10 - Map: FEMA Special Flood Hazard Area (SFHA).

The City's Environmental Coordinator, Mark Brown, PWS, CPSS, provided a comprehensive memorandum dated August 31, 2016 (See Exhibit B-11 - Memorandum from the City's Environmental Coordinator). The summary from Mr. Brown's memorandum is below.

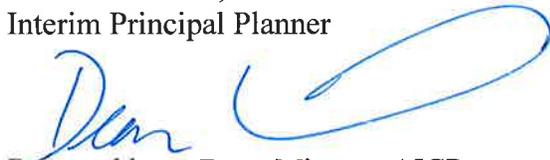
“The review of the environmental conditions submitted for this petition resulted in a contrast of current habitat conditions associated with the parcels located north versus south of SW 20th Avenue. The recent logging of the northern parcels and subsequent proliferation of nuisance species result in low habitat ratings. The northern parcels do not possess wetlands or other surface waters; therefore proposed activities within these parcels are exempt from criteria stipulated in the LDC Section 30-310. There are no evident or documented natural features or archaeological artifacts protected under criteria stipulated in Section 30-310.

For the few southern parcels, as noted in the aerial figure and site reconnaissance, presence of wetlands or surface waters haven’t been documented during the assessments. However there may be very minor wetland areas that will be verified between the consultant and Planning staff prior to submittal of future development plans. Since the adjacent Split Rock Conservation Area contains high quality sinkhole wetlands that receive direct water flow contributing from Hogtown Creek and discharge into the aquifer, proposed development activities and associated stormwater facilities within the southern parcels will be closely evaluated in order to ensure adoption of appropriate water quality features. As for the potential of establishing set-aside mitigation acreage to address Strategic Ecosystem requirements stipulated in Section 30-310, the landowners have been pro-active in the evaluation process. Discussions with Mr. Dink Henderson have indicated this process will continue toward achieving the Strategic Ecosystem requirements. In turn, this can provide valuable ecological benefits to expand upon and buffer the Split Rock Conservation Area from future development activities.”

Respectfully submitted,



Andrew Persons, AICP
Interim Principal Planner



Prepared by: Dean Mimms, AICP
Lead Planner

Table 1

Adjacent Existing Uses

North	University of Florida radio tower; undeveloped/wooded; mobile home park
South	Single-family neighborhood; multifamily (4-plexes and duplexes) neighborhood
East	Multifamily residential (apartments); SW 20 th AVE (then single-family neighborhood)
West	SW 75 th ST/Tower Road (then single-family neighborhoods; Oak Hall School)

Adjacent Land Use and Zoning

	Land Use Category	Zoning Category
North	UF Campus Master Plan – Support; Alachua County Residential Medium-Density (4-8 units/acre)	Alachua County Agriculture; Alachua County Business and Professional; Alachua County R-2A - Multiple-Family, Medium-High Density (8-14 units/acre); Alachua County RM: Manufactured – Mobile Home Park
South	Alachua County RES-Med Residential Medium Density (14-21 units/acre)	Alachua County R-2A - Multiple-Family, Medium-High Density (8-14 units/acre); Alachua County PDs (single-family residential; multi-family residential)
East	Alachua County RES-High – Residential High Density (14-21 units/acre); SW 20 th AVE (then SF – Single-Family (up to 8 units per acre)	Alachua County R-2A – Multiple-Family, Medium-High Density (8-14 units/acre); SW 20 th AVE (then RSF-1 (3.5 units/acre single-family residential district)
West	SW 75 th ST (then Alachua County RES-Low: Residential Low Density (1-4 units/acre); Alachua County INST – Institutional	SW 75 th ST (then R-1A (Single-Family, Low Density (1-4 units/acre); PD (Planned Development) for Oak Hall School; PD for single-family residential

List of Appendices

Appendix A Comprehensive Plan GOPs

Exhibit A-1 Comprehensive Plan GOPs

Appendix B Supplemental Documents

Exhibit B-1 Aerial Photograph

Exhibit B-2 Map: Existing Zoning

Exhibit B-3 Map: Proposed Zoning

Exhibit B-4 Sec. 30-65. - Mixed use medium intensity district (MU-2)

Exhibit B-5 Sec. 30-64. - Mixed use low intensity district (MU-1)

Exhibit B-6 Sec. 30-51. - Single-family residential districts (RSF-1, RSF-2, RSF-3 and RSF-4)

Exhibit B-7 Sec. 30-52. - Residential low density districts (RMF-5, RC and MH)

Exhibit B-8 Sec. 30-53. -Multiple-family medium density residential districts (RMF-6, RMF-7 and RMF-8)

Exhibit B-9 Sec. 30-67. - General provisions for business and mixed use districts

Exhibit B-10 Map: FEMA Special Flood Hazard Area (SFHA)

Exhibit B-11 Memorandum from the City's Environmental Coordinator

Appendix C Application Package

Exhibit C-1 Rezoning Application

Appendix A Comprehensive Plan GOPs

Exhibit A-1 Comprehensive Plan GOPs

Future Land Use Element

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

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

Transportation Mobility Element

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

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

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

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

- a. Sidewalk connections from the development to existing and planned public sidewalk along the development frontage;
- b. Cross-access connections/easements or joint driveways, where available and economically feasible;
- c. Deeding of land or conveyance of required easements along the property frontage to the City, as needed, for the construction of public sidewalks, bus turn-out facilities, and/or transit shelters. Such deeding or conveyance of required easements, or a portion of same, shall not be required if it would render the property unusable for development. A

Transit Facility License Agreement between the property owner and the City for the placement of a bus shelter and related facilities on private property may be used in lieu of deeding of land or conveyance of easements. The License Agreement term shall be for a minimum of 10 years;

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

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

Policy 10.1.9 For any development or redevelopment within Zone D, the developer shall, at the developer's expense, meet the following transportation mobility criteria based on the development's (including all phases) trip generation and proportional impact on transportation mobility needs. The criteria chosen shall relate to the particular development site and the transportation mobility conditions and priorities in the zone, adjacent zones, and/or citywide for criteria that benefit the overall transportation system. Based on cost estimates provided by the developer and verified by the City, the City shall have the discretion to count individual criteria as equivalent to two or more criteria for purposes of satisfying transportation mobility requirements. Provision of the required transportation mobility criteria shall be subject to final approval by the City during the development review process and shall be memorialized in a TMPA agreement between the City and the developer.

Net, New Average Daily Trip Generation	Number of Criteria That Shall Be Met
50 or less	At least 1.5
51 to 100	At least 4
101 to 400	At least 6
401 to 1,000	At least 10

1,001 to 5,000	At least 16
Greater than 5,000	At least 24 and meet either a. or b.: <ul style="list-style-type: none"> a. Located on an existing RTS transit route with minimum 15-minute frequencies in the a.m. and p.m. peak hours. b. Provide funding for a new RTS transit route with minimum 15-minute frequencies in the a.m. and p.m. peak hours or provide funding to improve RTS transit headways to minimum 15-minute frequencies in the a.m. and p.m. peak hours. Funding for new routes shall include capital and operating costs for a minimum of 5 years. Funding for existing route expansions or enhancements shall include capital and operating costs for a minimum of 3 years.

Zone D Criteria

- a. Roadway projects that will provide a more interconnected transportation network in the area and/or provide alternate routes to reduce congestion and pressure on arterials. All roadway projects shall include bicycle and pedestrian facilities. Projects may be located outside of Zone D if demonstrated to be a direct benefit to the transportation system in Zone D. Projects may include, but shall not be limited to, the following:
 - 1. extension of SW 40th Boulevard to connect from its terminus south of Archer Road to SW 47th Avenue; and
 - 2. extension of streets, deeding of land, or easements to create a more gridded network and provide connectivity.
- b. Deeding of land for right-of-way and/or construction of roadway extensions to City specifications. Prior to deeding land for right-of-way, the developer and the City must agree upon the fair market value of the land for the purposes of meeting this criterion. The developer may submit an appraisal to the City to establish fair market value, subject to review and approval by the City.
- c. Design and/or construction studies/plans for projects such as planned roundabouts, road connections, sidewalk systems, and/or bike trails.
- d. Provision of matching funds for transit or other transportation mobility-related grants.
- e. Provision of Park and Ride facilities, built to RTS needs and specifications
- f. Construction of bicycle and/or pedestrian facilities/trails to City specifications. This may include provision of bicycle parking at bus shelters or Transit Hubs (as shown on the Existing Transit Hubs & Transit Supportive Areas Map) or deeding of land for the addition and construction of bicycle lanes or trails. Prior to deeding land for right-of-way, the developer and the City must agree upon the fair market value of the land for the

purposes of meeting this criterion. The developer may submit an appraisal to the City to establish fair market value, subject to review and approval by the City.

- g. Construction of public sidewalks where they do not currently exist or completion of sidewalk connectivity projects. Sidewalk construction required to meet Land Development Code requirements along property frontages shall not count as meeting TMPA criteria.
- h. Payments to RTS that either increase service frequency or add additional transit service, including Express Transit service and/or Bus Rapid Transit, where appropriate.
- i. Funding for the construction of new or expanded transit facilities.
- j. Construction of bus shelters built to City specifications.
- k. Bus shelter lighting using solar technology designed and constructed to City specifications.
- l. Construction of bus turn-out facilities to City specifications.
- m. Construction of access to transit stops and/or construction of transit boarding and alighting areas.
- n. Business operations shown to have limited or no peak-hour roadway impact.
- o. An innovative transportation-mobility-related modification submitted by the developer, where acceptable to and approved by the City.

Policy 10.1.10 The City establishes the following priority for transportation mobility projects within Zone D and shall collaborate with the Metropolitan Transportation Planning Organization (MTPO) to add these items to the MTPO list of priorities. The City shall also pursue matching grants and other funding sources to complete these projects.

- a. Construction of a southerly extension of SW 40th Boulevard from its current end south of its intersection with Archer Road to the intersection of SW 47th Avenue. This roadway connection shall include bicycle and pedestrian facilities.
- b. Funding for the construction of new or expanded transit facilities.

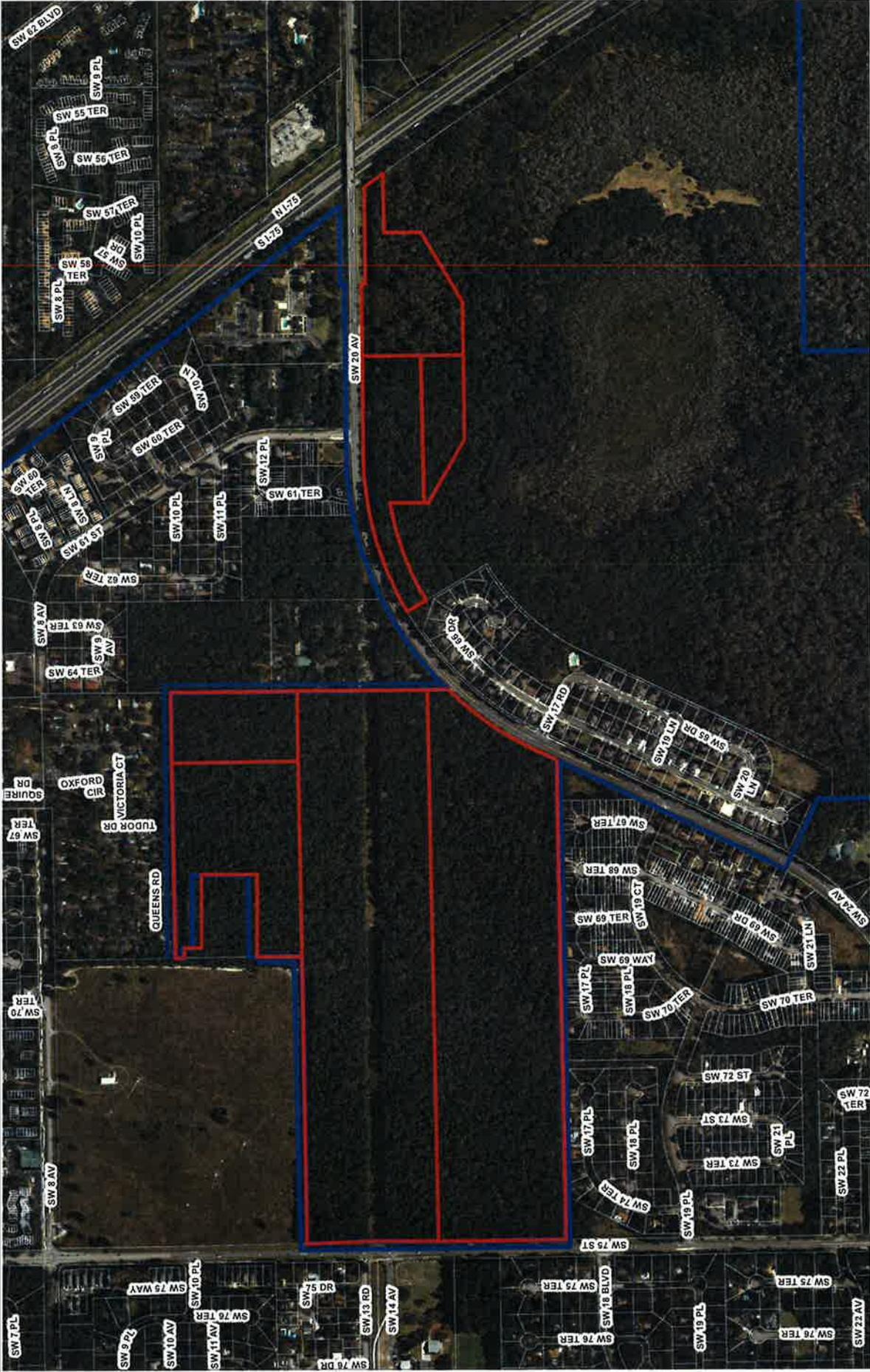
Policy 10.1.14 Within the portion of the University of Florida (UF) Context Area that is located inside city limits (as mapped in the Campus Master Plan), all new multi-family residential development shall fund the capital transit costs associated with transit service needs. Transit capital costs include transit vehicles, maintenance facilities, passenger facilities such as transit shelters,

and technology equipment (such as GPS). Payments shall be based on a proportionate share contribution for any additional transit service enhancements needed to serve the proposed development and maintain existing service levels (frequencies) in the RTS a.m. and p.m. peak hours. The projected new trips shall be based on the expected mode split of all development trips that will use transit. If the development is within ¼ mile of UF, there shall be a 25% reduction in the required payment in recognition of the pedestrian and bicycle trips that may occur. Any transit payments required under this policy shall not count towards meeting TMPA criteria in Zones B, C, D, or M.

Policy 10.3.1 The City shall use the Central Corridors Overlay District design standards in the Land Development Code for development/redevelopment projects within the TMPA. These standards address building placement, parking, sidewalks, building wall articulation, and placement of mechanical equipment, and shall be the guiding design standards for development/redevelopment on roadways in the TMPA that are listed in the annual Level of Service Report produced by the North Central Florida Regional Planning Council. Within Zones C and M, the build-to line may be modified on Archer Road, SW 34th Street, SW 20th Avenue, or Williston Road due to right-of-way or utility constraints, consistent with requirements as described in the Land Development Code's Special Area Plan for Central Corridors. These design standards shall not supersede design standards adopted as part of a Special Area Plan, Overlay District, Planned Development, or Urban Mixed-Use District 2 (UMU-2) zoning district.

Policy 10.8.1 Alachua County staff shall be provided the development plans and associated traffic studies for any development within the TMPA that will generate more than 1,000 net, new average daily trips or any development that will generate more than 100 net, new average daily trips within 1/4 mile of an Alachua County-maintained road or the unincorporated area. Alachua County staff shall have the opportunity to comment on the proposed development and its impacts on Alachua County-maintained roads or state-maintained roads and any criteria proposed/required pursuant to Policies 10.1.6, 10.1.7, 10.1.9, 10.1.11, and 10.1.13. Alachua County staff may raise the trip threshold for review of plans at any time by informing the City of such change in writing. The City shall require large developments that meet the DRI threshold to address regional impacts on facilities.

Appendix B Supplemental Documents



AERIAL PHOTOGRAPH

Name	Petition Request	Petition Number
City of Gainesville	Rezoning property from Alachua County Multiple-Family, medium-high density district (R-2A) and Single Family, low-density district (R-1A) to City of Gainesville MU-1, MU-2, RMF-5, RMF-7 and RSF-4	PB-16-108 ZC



No Scale

City of Gainesville Zoning District Categories

- RSF-1 3.5 units/acre Single-Family Residential
- RMF-7 8-21 units/acre Multiple-Family Medium Density Residential
- PD Planned Development
- CON Conservation
- PS Public Services and Operations

Alachua County Zoning District Categories

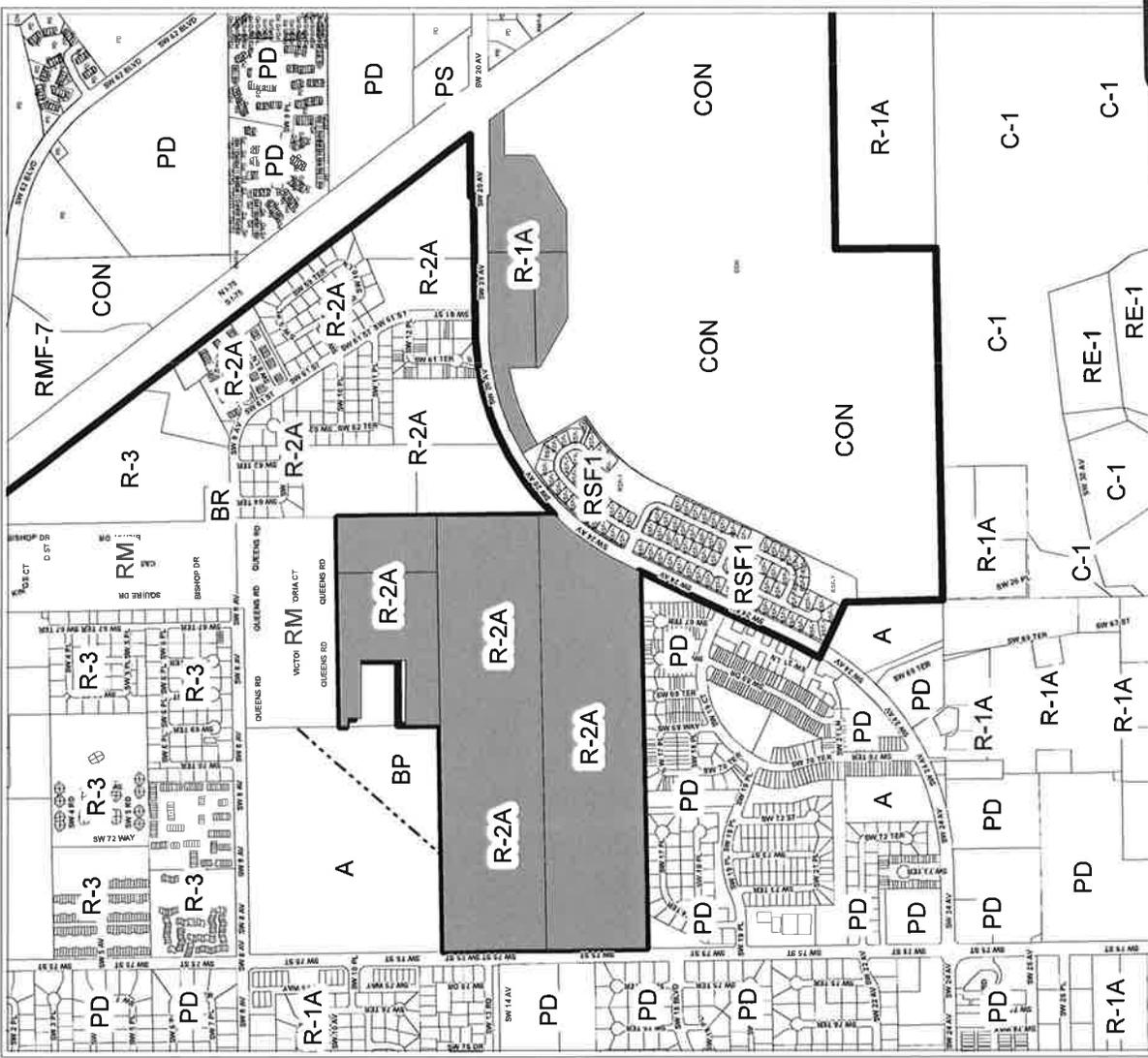
- A Agriculture
- C-1 Conservation
- RE-1 Single-Family, Low Density (1 unit per 2 acres to 2 units per acre)
- R-1A Single-Family, Low Density (1-4 units/acre)
- R-2A Multiple-Family, Medium-High Density (8-14 units/acre)
- R-3 Multiple-Family High Density (14-24 units/acre)
- PD Planned Development
- BP Business and Professional
- BR Business, Retail
- RM Manufactured-Mobile Home Park

Area
under petition
consideration

- Division line between two zoning districts
- City Limits



No Scale



EXISTING ZONING		Petition Number
City of Gainesville	Rezone property from Alachua County Multiple-Family, medium-high density district (R-2A) and Single-family, low-density district (R-1A) to City of Gainesville MU-2, MU-1, RMF-5, RMF-7 and RSF-4	PB-16-108 ZON

tabbles*

EXHIBIT

B-2

City of Gainesville Zoning District Categories

- RSF-1 3.5 units/acre Single-Family residential
- RSF-4 8 units/acre Single-Family residential
- RMF-5 12 units/acre Single-Family/Multiple Family residential
- RMF-7 8-21 units/acre Multiple Family residential
- MU-1 8-30 units/acre Mixed-Use low intensity
- MU-2 12-30 units/acre Mixed-Use medium intensity
- PD Planned Development
- CON Conservation
- PS Public Services and Operations

Alachua County Zoning District Categories

- A Agriculture
- C-1 Conservation
- RE-1 Single-Family, Low Density (1 unit per 2 acres to 2 units/acre)
- R-1A Single-Family, Low Density (1-4 units/acre)
- R-2A Multiple-Family, Medium-High Density (8-14 units/acre)
- R-3 Multiple-Family High Density (14-24 units/acre)
- PD Planned Development
- BP Business and Professional
- BR Business, Retail
- RM Manufactured-Mobile Home Park

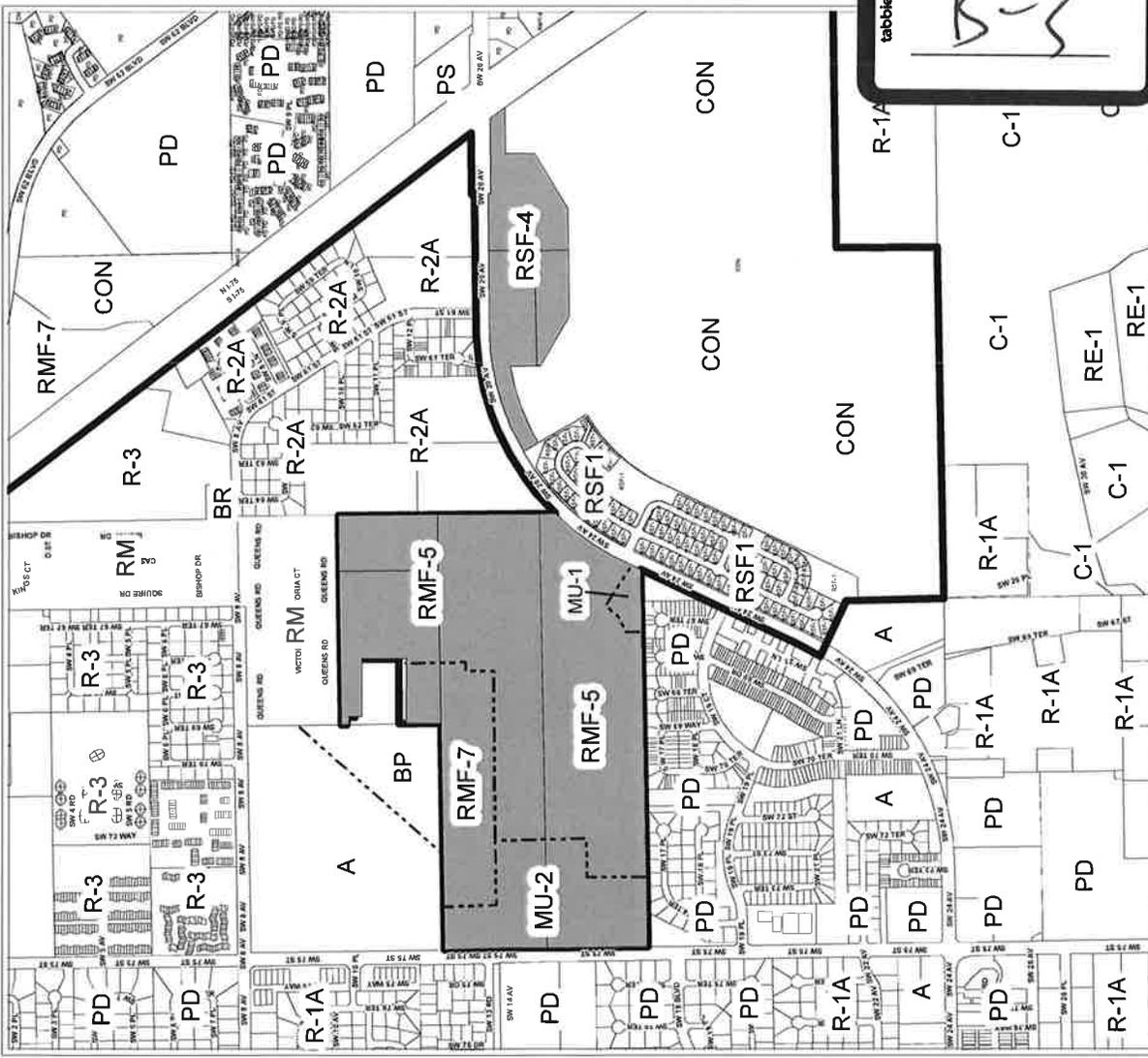
Area under petition consideration



Division line between two zoning districts
City Limits



No Scale



tabbies
EXHIBIT B-3

PROPOSED ZONING	
Name	Petition Request
Name	Petition Number
City of Gainesville	Rezone property from Alachua County Multiple-Family, medium-high density district (R-2A) and Single-family, low-density district (R-1A) to City of Gainesville MU-2, MU-1, RMF-5, RMF-7 and RSF-4
	PB-16-108 ZON

Exhibit B-4

Sec. 30-65. - Mixed use medium intensity district (MU-2).

- (a) *Purpose.* The mixed-use medium intensity district is established for the purpose of providing a mix of employment, retail, professional, service and residential uses in medium level activity centers. The district is intended to encourage a reduction in the number and length of vehicular trips by providing for basic needs and employment opportunities within close proximity to residential areas. Such districts are established to allow uses compatible with each other and with surrounding residential areas to be clustered in a compact urban center. The mixed-use medium intensity district shall be located in areas where analysis of residential characteristics demonstrates that such facilities are required, and where there is limited overlapping of market areas with other mixed-use medium intensity districts.
- (b) *Objectives.* The provisions of this district are intended to:
- (1) Coordinate the locations of activity centers with the population and land use needs of adjoining residential areas. It is intended that activity centers have only minimally overlapping market areas;
 - (2) Encourage large, mixed-use developments to locate on land that is physically capable of supporting the proposed development;
 - (3) Ensure that new development within the district is integrated with existing development and is designed to promote pedestrian and nonautomotive access within the district and from surrounding residential areas;
 - (4) Minimize traffic congestion by requiring that large, mixed-use developments be located on appropriate major collector and arterial roadways, and by minimizing the number and location of driveway connections;
 - (5) Encourage proper design review through the utilization of the development plan review process to ensure a harmonious relationship with surrounding development (including adequate ingress and egress);
 - (6) Integrate all outparcel development through landscaping; shared parking, traffic access management and circulation; and stormwater management; and
 - (7) Require appropriate buffering or screening around large mixed-use development to maintain its compatibility with surrounding land uses.
- (c) *Requirements for developments of less than 50,000 square feet.*
- (1) Yard setbacks.
 - a. Front: The maximum setback shall be the average setback of existing development in the same face block face; however, when there is no existing development in the same block face, the setback shall be between 15 and 80 feet.
 - b. Where the side or rear yard abuts property which is in a residential zoning district or is shown for residential use on the future land use map of the comprehensive plan, the minimum setback shall be 25 feet or the distance created by the 45-degree angle of light obstruction, whichever is greater. If MU-2 zoning abuts a single-family residential zoning district, then the residential portion of the mixed-use development shall be limited to RMF-7 in the area within 100 feet of the property line, plus the required buffers for the single-family residential zoning district. In addition, the multi-family development shall comply with all the regulations in the RMF-7 district and the requirements of section 30-56.

- (2) Maximum building height: Five stories.
 - (3) Maximum lot coverage: 50 percent.
 - (4) Access: Access shall be designed to integrate all aspects of the development and shall meet all requirements of article IX and Chapter 23. Driveways shall be coordinated or shared insofar as possible.
- (d) *Requirements for developments of 50,000 square feet or more.* These requirements apply to developments with at least 50,000 square feet of gross leasable area.
- (1) *Location.* Nonresidential development shall be located at intersections of arterials or arterials and collectors, as shown in the city comprehensive plan.
 - (2) *Dimensional requirements.* All principal and accessory structures shall be located and constructed in accordance with the following requirements:
 - a. Minimum lot area: 10,000 square feet.
 - b. Minimum lot width at minimum front yard setback: 100 feet.
 - c. Minimum yard setbacks:
 1. *Internal to the district.* Where there are separate residential uses and nonresidential uses within the MU-2 district, such uses shall have an angle of light obstruction for all principal and accessory structures of 60 degrees.
 2. *Between different districts.* Where the side or rear yard abuts property which is in a residential district, or is shown on the future land use map of the comprehensive plan for residential use, the minimum setback shall be 100 feet or the distance created by a 45-degree angle of light obstruction, whichever is greater. If MU-2 zoning abuts a single-family residential zoning district, then the residential portion of the mixed-use development shall be limited to RMF-7 in the area within 100 feet of the property line, plus the required buffers for the single-family residential zoning district. In addition, the multi-family development shall comply with all the regulations in the RMF-7 district and the requirements of section 30-56.
 3. *Front yard.* The maximum setback shall be the average setback of existing development in the same face block face; however, when there is no existing development in the same block face, the setback shall be between 15 and 80 feet.
 - d. Maximum lot coverage: 50 percent for single-use projects; 75 percent for mixed-use projects that include residential.
 - e. Maximum building height: Five stories.
 - (3) *Multiple structures.* The use of multiple structures shall be considered on a case-by-case basis during development plan approval. Approval shall be conditioned upon findings by the development review board or city plan board that all such structures are compatible with the uses and purposes of the center and surrounding uses and traffic patterns and are safely incorporated into the overall transportation system for the center.
 - (4) *Outparcels.*
 - a. *Purpose.* The proliferation of outparcels contributes to strip commercial development, traffic circulation problems and visual clutter, and obstructs pedestrian and bicycle movement. To mitigate the problems associated with outparcels the following regulations shall apply.

- b. *Creation and design.* The creation of outparcels shall be considered on a case-by-case basis during subdivision, lot split approval or development plan approval. Approval shall be conditioned upon findings by the plan board, development review board or staff, as applicable, that the center and all outparcels are integrated through the use of landscaping and buffers; shared parking, traffic access management and circulation; and stormwater management.
- c. *Dimensional requirements for outparcels.* Outparcels with unified circulation systems with adjoining shopping centers shall not be required to meet the minimum lot area, lot depth, and lot width requirements; however, outparcels shall be required to meet the yard setback, lot coverage and floor area ratio requirements for the MU-2 district.

(5) *Access.*

- a. *Vehicular access.* Access to the shopping centers shall be in accordance with the provisions of article IX, Division 3, of this chapter, Chapter 23 of the Code of Ordinances, and section 30-67(f) of the Code of Ordinances. Parking areas, including maneuvering space, ingress and egress roads and driving lanes, shall be improved in accordance with the provisions of Division 3 of article IX, pertaining to access management. All loading and unloading shall be done on the property. Areas used by motor vehicles shall be physically separated from public streets by landscaped buffer areas.
- b. *Bicycle, greenway and pedestrian access.* Provisions shall be made to safely incorporate travel ways for bicycle and pedestrian usage into development projects. Where bikeways, greenways or sidewalks are presently adjoining the property, provisions shall be made to safely link the internal bicycle and pedestrian system with adjoining facilities. During development plan review, the development review board shall also review the relationship of the mixed-use development to adjoining properties and may require appropriate access for bicycles or pedestrians at locations where vehicular access is prohibited.

(e) *Permitted uses.*

SIC	Uses	Conditions
	USES BY RIGHT:	
	Any accessory uses customarily and clearly incidental to any permitted principal use	
	Bed and breakfast establishments	In accordance with article VI
	Community residential homes with 14 or fewer residents	In accordance with article VI
	Compound uses	
	Eating places	
	Food trucks	In accordance with article VI
	Medical marijuana dispensaries	
	Outdoor cafes	As defined in article II and in accordance with article VI

	Personal fitting and sales of prosthetic or orthopedic appliances	
	Places of religious assembly	In accordance with article VI
	Public service vehicles	As defined and in accordance with article VI
	Repair services for household needs	As defined in article II
	Residential uses (12 to 30 dwelling units per acre)	Residential development shall conform to the requirements of the RMF-7 or RMF-8 zoning districts, the requirements of section 30-56, and the additional requirements of this section. Lots that existed on November 13, 1991 as recorded in the planning and development services department and that are less than or equal to 0.5 acres in size are exempt from minimum density requirements.
	Specialty T-shirt production	
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
IN-0752	Animal specialty services, except veterinary	Only within enclosed buildings
GN-078	Landscape and horticultural services	
MG-15	Building construction - General contractors and operative builders	
GN-171	Plumbing, heating and air conditioning	
GN-172	Painting and paper hangers	
GN-173	Electrical work	
MG-27	Printing, publishing and allied industries	
MG-43	U.S. Postal Service	
GN-472	Arrangement of passenger transportation	Offices only, with no operation of passenger tours from the site
GN-481	Telephone communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI, excluding cellular telephone services
GN-482	Telegraph and other message communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI

GN-483	Radio and television broadcasting stations	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI
GN-484	Cable and other pay television services	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI
GN-523	Paint, glass and wallpaper stores	
GN-525	Hardware stores	
GN-526	Retail nurseries, lawn and garden supply stores	
MG-53	General merchandise stores	
MG-54	Food stores	Accessory gasoline and alternative fuel pumps in accordance with article VI
GN-553	Auto and home supply stores	Garage and installation facilities, in accordance with the provisions for limited automotive services in article VI
GN-554	Gasoline service stations including the sales of alternative fuels for automobiles	In accordance with article VI
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishings and equipment stores	
MG-59	Miscellaneous retail	Excluding fuel dealers (IN-5983)
Div. H	Finance, insurance and real estate	Excluding cemetery subdivisions and developers (IN-6553)
MG-72	Personal services	Including funeral services and crematories, in accordance with article VI
MG-73	Business services	Excluding outdoor advertising services (IN-7312), disinfecting and pest control services (IN-7342), heavy construction equipment rental and leasing (IN-7353), and equipment rental and leasing, not elsewhere classified (IN-7359)
GN-752	Automobile parking	
MG-76	Miscellaneous repair services	Excluding miscellaneous repair shops and related services (GN-769) and including repair services for household needs as defined in this chapter
MG-78	Motion pictures	Excluding drive-in theaters (IN-7833) and outdoor filming facilities

MG-79	Amusement and recreation services	Excluding go-cart rental and raceway operations, commercial sports (GN-794), and simulated gambling establishments. Must be located within enclosed structures.
MG-80	Health services	Excluding hospitals (GN-806) and including nursing and personal care facilities (GN-805) in accordance with article VI, and excluding rehabilitation centers
MG-81	Legal services	
MG-82	Educational services	Including private schools, in accordance with article VI
MG-83	Social services	Including day care centers as defined in this chapter and in accordance with article VI, excluding rehabilitation centers, halfway houses, social service homes, and residences for destitute people as defined in this chapter
GN-841	Museums and art galleries	
MG-86	Membership organizations	
MG-87	Engineering, accounting, research management and related services	Excluding testing laboratories (IN-8734) and facilities support management services (IN-8744)
MG-89	Services, not elsewhere classified	
Div. J	Public administration	
	USES BY SPECIAL USE PERMIT	
	Accessory transmission, retransmission and microwave towers over 100 feet in height	In accordance with article VI
	Alcoholic beverage establishments	In accordance with article VI
	Limited automotive services	In accordance with article VI
	Other uses (including light assembly or packaging)	Within completely enclosed structures; no outdoor storage, truck traffic limited to that normal to commercial activities such as grocery stores, loading docks and mechanical equipment must be screened, and sound attenuation shall be provided to any adjacent residential area or area in actual residential use; no access to any residential street; must meet industrial buffers. Storage of hazardous materials in accordance with the county hazardous materials management code
	Recycling centers	In accordance with article VI

	Rehabilitation centers	In accordance with article VI
	Residences for destitute people	In accordance with article VI
	Social service homes	In accordance with article VI
GN-598	Fuel dealers	
GN-701	Hotels and motels	
GN-702	Roominghouses and boardinghouses	In accordance with article VI
MG-79	Amusement and recreation services located outside of an enclosed structures	Excluding simulated gambling establishments. Must be in compliance with noise ordinance.

(f) *General requirements.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-67 and article IX.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3918, § 5, 11-15-93; Ord. No. 3963, § 6, 3-14-94; Ord. No. 4075, § 8, 5-8-95; Ord. No. 950364, § 1, 8-28-95; Ord. No. 950862, § 6, 11-13-95; Ord. No. 951420, § 5, 7-8-96; Ord. No. 980273, § 4, 11-9-98; Ord. No. 990299, § 4, 10-25-99; Ord. No. 002469, §§ 7—9, 3-17-03; Ord. No. 020590, § 3, 4-14-03; Ord. No. 070619, § 5, 3-24-08; Ord. No. 110865, § 2, 7-19-12; Ord. No. 140130, § 6, 9-4-14; Ord. No. 140190, § 10, 4-16-15; Ord. No. 150395, § 6, 11-19-15)

Exhibit B-5

Sec. 30-64. - Mixed use low intensity district (MU-1).

- (a) *Purpose.* The mixed-use low intensity district is established for the purpose of allowing coordinated developments designed to offer a mixture of residential, convenience-type retail, professional and consumer service uses primarily for residents of mixed-use and adjacent residential neighborhoods, and places of religious assembly. The district is intended to reduce the length and number of vehicular trips by providing for basic needs within close proximity to residential areas, by encouraging pedestrian access, and by the combining of trips. This district is established to allow uses compatible with each other and with surrounding residential areas to be developed near each other. The MU-1 district may be located in areas where analysis of residential characteristics demonstrates that such facilities are required. This district is intended to encourage the development of planned and unified neighborhood shopping centers in a relationship harmonious with adjoining residential activities. It is also intended to accommodate traditional neighborhoods that include nonresidential uses and neighborhood centers.
- (b) *Objectives.* The provisions of this district are intended to:
- (1) Permit compatible commercial, office, service and residential developments that benefit from being located near each other.
 - (2) Provide an adequate mix of residential uses including multifamily, townhouse, zero lot line, and detached single-family at urban densities.
 - (3) Provide opportunities for the development of compound residential uses.
 - (4) Minimize traffic congestion by:
 - a. Requiring that shopping center and/or mixed-use developments be located on appropriate major collector and arterial roadways, as defined in the comprehensive plan;
 - b. Minimizing the number and regulating the location of driveway connections; and
 - c. Encouraging pedestrian and nonautomotive access.
 - (5) Ensure, through development plan approval, that nonresidential and mixed-use developments are designed to promote the most efficient use of the land, and that they coordinate the internal activities of the site as well as establish a harmonious relationship between such developments and their environment.
 - (6) Require buffering or screening around nonresidential and/or mixed-use development in accordance with the land development code when the development abuts any property zoned for residential use or shown as residential on the future land use map.
 - (7) Accommodate neighborhood-level services and retail uses along existing business corridors.
 - (8) Coordinate the location and size of mixed-use developments commensurate with the character and density of the areas to be served.
 - (9) Allow the market some flexibility in determining locations of new nonresidential development, and the ability to expand such areas in relation to the population densities achieved.
 - (10) Encourage nonresidential and/or mixed-use developments to locate on land that is physically capable of supporting the particular type of development.
- (c) *Permitted uses.* See permitted uses listed in subsection (g) of this section pertaining to permitted uses.
- (1) *Specific conditions for residential uses.* If MU-1 zoning abuts a single-family residential zoning district, then the density of the residential portion of the mixed-use development shall be limited to that allowed by the RMF-6 residential district in the area within 100 feet of the property line, plus the required buffers for that single-family residential zoning district. In addition, multi-family

development shall comply with all regulations in the RMF-6 district and the requirements of section 30-56.

- (2) *Specific conditions for single-family compound uses.* Twenty-five percent of the total floor area up to 1,000 square feet may be used for commercial or office uses. Such uses shall require a minimum lot size of 6,000 square feet and a lot width of 70 feet and shall have direct or shared access to a collector or arterial roadway.
- (d) *Specific conditions for neighborhood shopping centers.*
- (1) *Developments of more than 30,000 square feet.* There is no minimum size for buildings within the MU-1 zoning district. However, within the MU-1 zoning district, nonresidential developments of more than 30,000 square feet of gross leasable floor area are considered neighborhood shopping centers and are subject to the rights of and conditions for neighborhood shopping centers.
 - (2) *Location.* Neighborhood shopping centers shall be located within one-fourth mile of intersections of arterials or intersections of arterials and collectors, as shown on the map entitled Functional Classification of Streets, in the transportation mobility element of the city's comprehensive plan. Such uses shall have direct or shared access to an arterial.
 - (3) *Maximum gross leasable nonresidential floor area.* No more than 100,000 square feet of gross leasable nonresidential floorspace shall be allowed within any neighborhood shopping center.
 - (4) *Maximum gross leasable nonresidential floor area in any one business.* No more than 50,000 square feet shall be contained in any one business located within a neighborhood shopping center, except MG-54 (food stores).
 - (5) *Dimensional requirements for permitted nonresidential uses.* All principal and accessory structures shall be located and constructed in accordance with the following requirements:
 - a. Required yard setbacks:
 1. Minimum front: 20 feet.
 2. Maximum front: 80 feet.
 3. Where the side or rear yard abuts property which is in a residential zoning district, or is shown for residential use on the future land use map of the comprehensive plan, the minimum setback shall be 50 feet or the distance created by the 45 degree angle of light obstruction, whichever is greater.
 - b. Maximum lot coverage: 50 percent for single-purpose, nonresidential; 60 percent for mixed-use (inclusive of residential) or compound use.
 - c. Maximum building height: Five stories.
 - (6) *Multiple structures.* The use of multiple structures shall be considered on a case-by-case basis during development plan approval. Approval shall be conditioned upon findings by the appropriate reviewing board that all such structures are compatible with the uses and purposes of the center and surrounding uses and traffic patterns and are safely incorporated into the overall transportation system for the center.
 - (7) *Outparcels.* The proliferation of outparcels contributes to strip commercial development, traffic circulation problems and visual clutter, and obstructs pedestrian and bicycle movement. To mitigate the problems associated with outparcels, the following regulations shall apply:
 - a. *Creation and design.* The creation of outparcels shall be considered on a case-by-case basis during subdivision, lot split approval or development plan approval. Approval shall be conditioned upon findings by the appropriate reviewing board or staff, as applicable, that the neighborhood shopping center and all outparcels are integrated through the use of landscaping and buffers; shared parking, traffic access and circulation; and stormwater management.

- b. *Dimensional requirements for outparcels.* Outparcels which have unified circulation systems with the adjoining neighborhood shopping center shall not be required to meet the minimum lot area, width and depth requirements; however, development on outparcels shall be required to meet yard setback, lot coverage and building height requirements for the MU-1 district.

(8) *Access.*

- a. *Vehicular access.* Access to the neighborhood shopping center shall be in accordance with the provisions of article IX, division 3, and chapter 23 of the Code of Ordinances. Parking areas, including maneuvering space, ingress and egress roads and driving lanes, shall be improved in accordance with the provisions of article IX, division 3, and chapter 23 of the Code of Ordinances. All loading and unloading shall be done on the neighborhood shopping center property. Areas used by motor vehicles shall be physically separated from public streets by landscaped buffer areas.
- b. *Bicycle, greenway and pedestrian access.* Provisions shall be made to safely incorporate travel ways for bicycle and pedestrian usage into any neighborhood shopping center project. Where bikeways, greenways or sidewalks are presently adjoining the property, provisions shall be made to safely link the internal bicycle and pedestrian system with adjoining facilities. During development plan review, the appropriate reviewing board shall also review the relationship of the neighborhood shopping center to adjoining properties and may require appropriate access for bicycles or pedestrians at locations where vehicular access is prohibited.

(e) *Dimensional requirements for projects of less than 30,000 square feet.*

(1) *Yard setbacks:*

- a. *Front:* The front setback shall be no deeper than the average setback of existing development in the same block face, and within 15 to 80 feet.
- b. Where the side or rear yard abuts property which is in a residential district or is shown for residential use on the future land use map of the comprehensive plan, the minimum setback shall be 25 feet or the distance created by the 60-degree angle of light obstruction, whichever is greater.
- c. Where the property abuts a side street, the minimum setback from that street shall be ten feet.
- d. Where a nonresidential use is adjacent to a nonresidential use no side yard setback is required.

(2) *Accessory structures shall not exceed 25 feet in height.*

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

(4) *Maximum building height: Five stories.*

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

(g) *Permitted uses.*

SIC	Uses	Conditions
	USES BY RIGHT:	
	Any accessory uses customarily and clearly	

	incidental to any permitted principal use	
	Bed and breakfast establishments	In accordance with article VI
	Community residential homes with 14 or fewer residents	When part of a permitted single-family or multifamily residential component and in accordance with article VI
	Community residential homes with more than 14 residents	In accordance with article VI
	Compound uses	
	Eating places	
	Food trucks	In accordance with article VI
	Family child care homes	When part of a permitted single-family or multifamily residential component and in accordance with state law
	Large family child care homes	In accordance with article VI
	Medical marijuana dispensaries	
	Outdoor cafes	As defined in article II and in accordance with article VI
	Personal fitting and sales of prosthetic or orthopedic appliances	
	Places of religious assembly	In accordance with article VI
	Public service vehicles	As defined and in accordance with article VI
	Repair services for household needs	As defined in article II
	Residential (8 to 30 dwelling units per acre)	In accordance with the requirements of the RMF-6, RMF-7 or RMF-8 zoning districts and the additional requirements of this section, and the requirements of section 30-56. Lots that existed on November 13, 1991 as recorded in the planning and development services department and that are less than or equal to 0.5 acres in size are exempt from minimum density requirements.
	Residential use buffer	
	Neighborhood convenience center	

	Neighborhood shopping center	
	Specialty T-shirt production	
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
IN-0752	Animal specialty services, except veterinary	Only within enclosed buildings
GN-078	Landscape and horticultural services	
MG-15	Building construction - General contractors and operative builders	
GN-171	Plumbing, heating and air conditioning	
GN-172	Painting and paper hangers	
GN-173	Electrical work	
MG-27	Printing, publishing and allied industries	
MG-43	U.S. Postal Service	
GN-472	Arrangement of passenger transportation	Offices only, with no operation of passenger tours from the site
GN-481	Telephone communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI, excluding cellular telephone services
GN-482	Telegraph and other message communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI
GN-483	Radio and television broadcasting stations	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI
GN-523	Paint, glass and wallpaper stores	
GN-525	Hardware stores	

GN-526	Retail nurseries, lawn and garden supply stores	
MG-53	General merchandise stores	
MG-54	Food stores	Accessory gasoline and alternative fuel pumps in accordance with article VI, and by special use permit in neighborhood convenience and shopping centers
GN-553	Auto and home supply stores	Excluding garage and installation facilities
GN-554	Gasoline service stations including the sale of alternative fuels for automobiles	In accordance with article VI and by special use permit in neighborhood convenience and shopping centers
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishings and equipment stores	
MG-59	Miscellaneous retail	Excluding direct selling establishments (IN-5963); fuel dealers (IN-5983); including liquor stores (IN-5921) limited to 2,000 square feet and excluding on-site consumption when located in neighborhood convenience and shopping centers, inside storage, display and sales only for all uses
Div. H	Finance, insurance and real estate	Excluding cemetery subdividers and developers (IN-6553)
MG-72	Personal services	Including funeral services and crematories in accordance with article VI and excluding linen supply (IN-7213), industrial laundries (IN-7218), and diaper services in neighborhood convenience and shopping centers
MG-73	Business services	Excluding outdoor advertising services (IN-7312), disinfecting and pest control services (IN-7342), heavy construction equipment rental and leasing (IN-7353), and equipment rental and leasing, not elsewhere classified (IN-7359)
GN-752	Automobile parking	
MG-76	Miscellaneous repair services	Excluding miscellaneous repair shops and related services (GN-769) and including repair services for household needs as defined in this chapter
MG-	Motion pictures	Excluding drive-in theaters (IN-7833) and outdoor filming

78		facilities
MG-79	Amusement and recreation services	Excluding go-cart rental and raceway operations, commercial sports (GN-794), and simulated gambling establishments. Must be located within enclosed structures.
MG-80	Health services	Including nursing and intermediate care facilities in accordance with article VI when applicable, and excluding rehabilitation centers and hospitals (GN-806)
MG-81	Legal services	
MG-82	Educational services	Including private schools, in accordance with article VI
MG-83	Social services	Including day care centers as defined in this chapter and in accordance with article VI, excluding residential care (GN-836), rehabilitation centers, halfway houses, social service homes, and residences for destitute people as defined in this chapter
GN-841	Museums and art galleries	
MG-86	Membership organizations	
MG-87	Engineering, accounting, research management and related services	Excluding testing laboratories (IN-8734) and facilities support management services (IN-8744)
MG-89	Services, not elsewhere classified	
Div. J	Public administration	
	USES BY SPECIAL USE PERMIT	
	Accessory gasoline and alternative fuel pumps	In accordance with article VI in neighborhood convenience and shopping centers
	Accessory transmission, retransmission and microwave towers over 100 feet in height	In accordance with article VI
	Alcoholic beverage establishments	In accordance with article VI
	Limited automotive services	In accordance with article VI

	Other uses (including light assembly or packaging)	Within completely enclosed structures; no outdoor storage, truck traffic limited to that normal to commercial activities such as grocery stores, loading docks and mechanical equipment must be screened, and sound attenuation shall be provided to any adjacent residential area or area in actual residential use; no access to any residential street; must meet industrial buffers. Storage of hazardous materials in accordance with the county hazardous materials management code
	Rehabilitation centers	In accordance with article VI
	Residences for destitute people	In accordance with article VI
	Social service homes	In accordance with article VI
GN-598	Fuel dealers	
GN-701	Hotels and motels	Except in neighborhood convenience and shopping centers
GN-702	Roominghouses and boardinghouses	In accordance with article VI

(h) *General requirements.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-67 and article IX.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3918, § 4, 11-15-93; Ord. No. 3963, § 5, 3-14-94; Ord. No. 4075, § 7, 5-8-95; Ord. No. 950862, § 5, 11-13-95; Ord. No. 951420, § 4, 7-8-96; Ord. No. 961100, §§ 1—3, 7-14-97; Ord. No. 980273, § 3, 11-9-98; Ord. No. 990299, § 3, 10-25-99; Ord. No. 002469, §§ 4—6, 3-17-03; Ord. No. 020590, § 2, 4-14-03; Ord. No. 041268, § 8, 8-22-05; Ord. No. 070619, § 4, 3-24-08; Ord. No. 110865, § 1, 7-19-12; Ord. No. 140130, § 5, 9-4-14; Ord. No. 140190, § 9, 4-16-15; Ord. No. 150395, § 5, 11-19-15)

Exhibit B-6

Sec. 30-51. - Single-family residential districts (RSF-1, RSF-2, RSF-3 and RSF-4).

- (a) *Purpose.* The single-family districts are established for the purpose of providing areas for low density single-family residential development with full urban services at locations convenient to urban facilities, neighborhood convenience centers, neighborhood shopping centers and activity centers. These districts are characterized by single-family residential structures designed and located so as to protect the character of single-family residential neighborhoods.
- (b) *Objectives.* The provisions of these districts are designed to:
- (1) Protect and stabilize the essential characteristics of such existing development;
 - (2) Encourage such future development to occur on vacant land where the natural characteristics of such land are suitable for this type of development;
 - (3) Enable single-family development to occur at appropriate locations and with sufficient density so as to facilitate the provision of urban services and facilities in an economical and efficient manner;
 - (4) Encourage low density development where higher density development would be detrimental to the health, safety and welfare of the community by reason of environmental constraints, open space or other factors; and
 - (5) Discourage any activities not compatible with such residential development.
- (c) *Permitted uses.*
- (1) *Uses by right.*
 - a. Single-family dwellings and customary accessory buildings incidental thereto.
 - b. Occupancy of a single-family dwelling by one family.
 - c. Community residential homes, in accordance with article VI.
 - d. Family child care homes, in accordance with state law.
 - e. Adult day care homes, in accordance with article VI.
 - f. Home occupations, in accordance with article IV.
 - g. Large family child care homes, in accordance with article VI.
 - (2) *Uses by special use permit.*
 - a. Places of religious assembly, in accordance with article VI.
 - b. Private schools, in accordance with article VI.
 - c. Public schools, other than institutions of higher learning, in accordance with section 30-77, educational services district (ED).
- (d) *General requirements.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-56 and article IX.
- (e) *Dimensional requirements.* (See Table 1):

TABLE 1. DIMENSIONAL REQUIREMENTS FOR RSF DISTRICTS
Principal Structures

	RSF-1	RSF-2	RSF-3	RSF-4
Maximum density	3.5 du/a	4.6 du/a	5.8 du/a	8 du/a
Minimum lot area	8,500 sq. ft.	7,500 sq. ft.	6,000 sq. ft.	4,300 sq. ft.
Minimum lot width at minimum front yard setback	85 ft.	75 ft.	60 ft.	50 ft.
Minimum lot depth	90 ft.	90 ft.	90 ft.	80 ft.
Minimum yard setbacks:				
Front	20 ft.	20 ft.	20 ft.	20 ft.
Side (interior)	7.5 ft.	7.5 ft.	7.5 ft.	7.5 ft.
Side (street)	10 ft.	10 ft.	7.5 ft.	7.5 ft.
Rear	20 ft.	20 ft.	15 ft.	10 ft.
Maximum building height	35 ft.	35 ft.	35 ft.	35 ft.

Accessory Structures¹, Excluding Fences and Walls

Minimum front and side yard setbacks	Same requirements are for the principal structure.
Minimum yard setback, rear ²	7.5 ft.
Maximum building height	25 ft.
Transmitter towers ³	80 ft.

¹ Accessory screened enclosure structures whether or not attached to the principal structure may be erected in the rear yard as long as the enclosure has a minimum yard setback of three feet from the rear property line. The maximum height of the enclosure at the setback line shall not exceed eight feet. The roof and all sides of the enclosure not attached to the principal structure must be made of screening material.

² One preengineered or premanufactured structure of 100 square feet or less may be erected in the rear and side yards as long as the structure has a minimum yard setback of three feet from the rear or side property lines, is properly anchored to the ground, and is separated from neighboring properties by a fence or wall which is at least 75 percent opaque.

³ In accordance with article VI.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3955, § 10, 2-14-94; Ord. No. 960060, § 1, 6-8-98; Ord. No. 980990, § 1, 6-28-99; Ord. No. 041268, § 2, 8-22-05; Ord. No. 070619, § 1, 3-24-08)

Exhibit B-7

Sec. 30-52. - Residential low density districts (RMF-5, RC and MH)

(a) *Purpose.* The residential low density districts are established to provide suitable areas for low density residential development with various dwelling unit types compatible with single-family dwellings. These districts are designed and located so as to provide a desirable residential environment and transition between differing intensities of land use. Specifically, the RC district is established to provide suitable zoning protection to those areas where single-family development has occurred on properties with minimum lot sizes and where such development patterns are desirable to maintain due to unique neighborhood, social and physical characteristics which are present. The MH district is established to provide for mobile home neighborhoods of sufficient size to sustain a stable and sound micro-environment with individual lots of dimensions necessary to provide safe and healthful residential living.

(b) *Objectives.* The provisions of these districts are designed to:

- (1) Encourage such development to locate near neighborhood convenience centers and neighborhood shopping centers;
- (2) Create transition areas between low intensity land uses and other more intense land uses;
- (3) Provide for a variety of dwelling unit types compatible with traditional single-family residential development;
- (4) Provide for low density residential development in areas where such development could be logically integrated with or located near traditional single-family residential development or in transitional areas on land where the clustering of units would permit the most effective use of such land, while preserving open space and other natural features;
- (5) Encourage privacy, internal stability, attractiveness, order and efficiency in these areas by providing for adequate light, air and usable open space for residential purposes through the careful design and consideration of the proper functional relationships among uses permitted; and
- (6) Provide for such residential development to occur where public facilities and services are present.

(c) *Permitted uses.*

(1) *Uses by right.*

a. *Uses by right for RMF-5 and RC districts.*

Use	Conditions
Single-family dwellings	
Two-family dwellings ¹	
Three-family dwellings ¹	Excluding RC district
Four-family dwellings ¹	Excluding RC district
Townhouses or rowhouses of up to six attached dwellings	Except in RC district. No more than four-family dwellings are allowed in RMF-5 unless the dwellings are townhouses or

	rowhouses. Each dwelling has a maximum width of 40 feet. More than six attached units are allowed if the property is not adjacent to property zoned RSF-1, RSF-2, RSF-3, and RSF-4. Each townhouse unit shall have a separate front entrance to the street side sidewalk from the outside at ground level. Stoops are permitted and may occur up to five feet forward of the required setback line as provided in the Land Development Code. Stoops may be covered or uncovered and shall be constructed according to the dimensions described in the "Building Elements" section of the University Heights Special Area Plan.
Housing for the elderly	In accordance with article VI.
Community residential homes	In accordance with article VI.
Family child care homes	In accordance with state law.
Large family child care homes	In accordance with article VI.
Adult day care homes	In accordance with article VI.
Home occupations	In accordance with article IV.
Places of religious assembly	In accordance with article VI.
Public schools other than institutions of higher learning	In accordance with the provisions of article IV, section 30-77, educational services district (ED).
Private schools	In accordance with article VI.
Day care centers	In accordance with article VI.
Accessory buildings	Incidental to permitted uses, not including management offices.
Accessory uses incidental to permitted uses, including storage rooms, management offices, club or game rooms, and recreational and laundry facilities intended for use solely by residents of the permitted use and their guests.	Applies only to permitted uses within the RMF-5 zoning district that contain at least 50 residential units. The accessory uses shall be and remain under common ownership and management.

¹Units shall be erected on separate lots if the intent is to sell the individual units separately.

b. *Uses by right for MH districts.*

Use	Conditions
Mobile homes and mobile home parks	
Community residential homes	In accordance with article VI and state law.
Family child care homes	In accordance with state law.
Large family child care homes	In accordance with article VI.
Housing for the elderly	In accordance with article VI.

Day care centers	In accordance with article VI.
Adult day care homes	In accordance with article VI.
Public schools other than institutions of higher learning	In accordance with article IV, section 30-77, educational services district (ED).
Private schools	In accordance with article VI.
Places of religious assembly	In accordance with article VI.

(2) *Uses by special use permit.* Uses by special use permit for RMF-5, RC and MH:

Use	Conditions
Bed and breakfast establishments	In accordance with article VI, section 30-101.
Public libraries	

(d) *Dimensional requirements.* All principal and accessory structures shall be located and constructed in accordance with the requirements in Table 2.

(e) *General requirements.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-56 and article IX.

TABLE 2. DIMENSIONAL REQUIREMENTS FOR RESIDENTIAL LOW DENSITY AND RC DISTRICTS
 Principal Structures

	MH	RMF-5	RC
Maximum density	12 du/a	12 du/a	12 du/a
Minimum lot area ¹ :			
Single-family dwelling unit	3,000 sq. ft.	3,500 sq. ft.	3,000 sq. ft.
Two-family dwelling unit ¹	N/A	7,000 sq. ft. ²	6,000 sq. ft. ³
Three-family dwelling unit	N/A	10,500 sq. ft. ⁷	N/A
Four-family dwelling unit	N/A	14,000 sq. ft. ⁷	N/A
Minimum lot width at minimum front yard setback:			
Single-family dwelling unit	N/A	40 ft.	35 ft.

Two-family dwelling unit	N/A	75 ft. ⁴	70 ft. ⁴
Three-family dwelling unit	N/A	85 ft. ⁷	N/A
Four-family dwelling unit	N/A	100 ft. ⁷	N/A
Five and six-family dwelling unit		120 ft. ⁷	N/A
Minimum yard setbacks:			
Front	15 ft.	20 ft.	The average of the actual distance (up to 20 feet) between the street right-of-way and principal structures on the 2 adjoining lots, using 20 feet for any adjoining vacant lot.
Side (interior)	5 ft.	7.5 ft. ⁵	5 ft. ⁶
Side (street)	N/A	10 ft.	N/A
Rear	15 ft.	20 ft.	20 ft.
Maximum building height	25 ft.	3 stories	3 stories
Maximum lot coverage	N/A	35%	50%

¹ A separate lot does not need to be created for each duplex, triplex, or quadraplex structure, where applicable.

² However, the dwelling may be arranged so that a common wall is located on the property line of adjoining lots with a minimum lot area of 5,000 square feet in the RMF-5 district.

³ However, the dwelling may be arranged so that a common wall is located on the property line of adjoining lots with a minimum of 3,000 square feet in the RC district.

⁴ Except when a common wall is located on the property line of two adjoining lots, in which case the required width is 50 feet for each lot.

⁵ Except where a two-family dwelling is located with a common wall on the property line of two adjoining lots. In such instances, the yard setback for the side of each lot opposite the common wall shall be at least ten feet in the RMF-5 district. No setback for attached rowhouse and townhouse units

⁶ Except where a two-family dwelling is located with a common wall on the property line of two adjoining lots. In such instances, the yard setback for the side of each lot opposite the common wall shall be at least 7.5 feet in the RC district.

⁷ Attached rowhouses and townhouses require no minimum lot width; however, such units require a 40-foot lot width maximum when units are on separate lots. In addition, such lots require no minimum lot area.

Accessory Structures for MH, RMF-5 and RC

		MH	RMF-5	RC
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Minimum front and side yard setbacks	Same requirements as for the principal structure, excluding fences and walls.		
Minimum yard setback, rear	3 ft.	5 ft.	5 ft. ¹
Maximum building height	25 ft.	25 ft.	25 ft.
Transmitter towers ²	80 ft.	N/A	80 ft.

¹ One pre-engineered and premanufactured structure of 100 square feet or less may be erected in the rear and side yards as long as the structure has a minimum yard setback of three feet from the rear or side property lines, is properly anchored to the ground, and is separated from neighboring properties by a fence or wall which is at least 75 percent opaque.

² In accordance with section 30-98.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3954, § 1, 2-14-94; Ord. No. 3955, § 12, 2-14-94; Ord. No. 4045, § 1, 11-28-94; Ord. No. 980990, § 2, 6-28-99; Ord. No. 031133, § 1, 8-23-04; Ord. No. 040521, § 1, 10-25-04; Ord. No. 041268, § 3, 8-22-05; Ord. No. 070619, § 1, 3-24-08; Ord. No. 080198, § 1, 1-15-09; Ord. No. 080845, § 2, 5-21-09; Ord. No. 120931, § 1, 7-18-13)

Exhibit B-8

Sec. 30-53. -Multiple-family medium density residential districts (RMF-6, RMF-7 and RMF-8).

- (a) *Purpose.* The multiple-family residential districts are established to provide for the efficient use of land for multifamily residential developments. These districts are designed to encourage the establishment and maintenance of a suitable residential environment for medium density housing. Due to the existing residential environment and the goals and objectives as outlined by the comprehensive plan, particular development criteria must be instituted in order to harmonize the existing patterns of growth with the needs of the community.
- (b) *Objectives.* The provisions of these districts are intended to:
- (1) Provide for the development of such projects with population densities and development patterns generally compatible with medium density residential areas or in transitional areas on land where the clustering of units would permit the most effective utilization of such land, while preserving open space and other natural features;
 - (2) Encourage such development projects to locate near activity centers;
 - (3) Discourage undue traffic congestion on minor streets by directing such new development to abut upon or have relatively close access to major transportation arteries;
 - (4) Encourage privacy, internal stability, attractiveness, order and efficiency in these areas by providing for adequate light, air and usable open space for dwellings and related facilities through the careful design and consideration of the proper functional relationships among uses permitted; and
 - (5) Encourage such residential development to occur where sufficient public facilities and services exist or are within plans for improvement.
- (c) *Permitted uses.*
- (1) *Uses by right.*
 - a. Single-family dwellings.
 - b. Multiple-family dwellings.
 - c. Accessory uses incidental to permitted uses, including storage rooms, management offices, club or game rooms, and recreational and laundry facilities intended for use solely by the residents of the development and their guests.
 - d. Roominghouses, in accordance with article VI.
 - e. Family child care homes, in accordance with state law.
 - f. Housing for the elderly, in accordance with article VI.
 - g. Emergency shelters.
 - h. Day care centers, in accordance with article VI.
 - i. Adult day care homes, in accordance with article VI.
 - j. Community residential homes, in accordance with article VI.
 - k. Home occupations, in accordance with section 30-58.
 - l. Places of religious assembly, in accordance with article VI.

- m. Public schools other than institutions of higher learning, in accordance with the provisions of section 30-77, educational services district (ED).
- n. Large family child care homes, in accordance with article VI.
- o. Private schools, in accordance with article VI.

(2) *Uses by special use permit.*

- a. Nursing and personal care facilities (GN-805), in accordance with article VI.
- b. Social service homes and halfway houses, in accordance with article VI.
- c. Dormitories (RMF-8 only), in accordance with article VI.
- d. Bed and breakfast establishments, in accordance with article VI.
- e. Community residential homes over 14 persons, in accordance with article VI.
- f. Off-site parking facilities for uses permitted by right in MU-1 or MU-2 zoning districts, in accordance with article VI.

(d) *Intensity of development.*

- (1) *Maximum intensity by right.* See permitted intensity tables.
- (2) *Permitted intensity using density bonus points.* Development criteria, as described in the density bonus points manual, which, when met, shall allow increases in development intensity based upon the limits in this section. These increases in intensity shall be allowed should a developer propose to undertake a project which will result in a development sensitive to the unique environmental and developmental needs of the area. For each criterion met by the developer, certain points shall be credited to the project. Those points, calculated in accordance with the Density Bonus Points Manual, shall determine the maximum allowable density.

PERMITTED DENSITY, RMF-6

Points	Maximum Residential Density (du/ac)
0	10
26	11
52	12
79	13
108	14
138+	15

PERMITTED DENSITY, RMF-7

Points	Maximum
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	Residential Density (du/ac)
0	14
20	15
39	16
59	17
79	18
98	19
118	20
138+	21

PERMITTED DENSITY, RMF-8

Points	Maximum Residential Density (du/ac)
0	20
16	21
30	22
46	23
59	24
75	25
89	26
105	27
118	28
134	29
148+	30

(3) *Minimum density exemption.* Parcels 0.5 acres or smaller existing on November 13, 1991 are exempt from minimum density requirements.

(e) *Dimensional requirements.* All principal and accessory structures shall be located and constructed in accordance with the requirements in Table 3.

- (f) *General requirements.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-56 and article IX.

TABLE 3. DIMENSIONAL REQUIREMENTS FOR RMF DISTRICTS
Principal Structures

	RMF-6	RMF-7	RMF-8
Allowable density ²	8—15 du/a	8—21 du/a	8—30 du/a
Maximum density by right	10 du/a	14 du/a	20 du/a
Allowable density with bonus points	See density bonus point table		
Minimum lot area:			
Single-family (SF)	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.
Multiple-family	8,700 sq. ft.	7,500 sq. ft.	7,500 sq. ft.
Minimum lot width at minimum front yard setback:			
Single-family	50 ft.	50 ft.	50 ft.
Multiple-family	75 ft.	75 ft.	75 ft.
Minimum lot depth	90 ft.	90 ft.	90 ft.
Minimum yard setbacks:			
(For SF):			
Front	20 ft.	20 ft.	20 ft.
Side (interior)	7.5 ft.	7.5 ft.	7.5 ft.
Side (street)	15 ft.	15 ft.	15 ft.
Rear	20 ft.	20 ft.	20 ft.
Multiple-family	See ¹	See ¹	See ¹
Maximum building height (for MF buildings)	Three stories by right; five by SUP ³	Three stories by right; five by SUP ³	Three stories by right; five by SUP ³
Maximum building height (for SF buildings)	35 ft.	35 ft.	35 ft.
Maximum lot coverage	35%	35%	35%

¹ Angle of light obstruction: 45 degrees. Minimum building setback is 25 feet from any property line abutting a street or land which is in an RC, RSF-1, RSF-2, RSF-3 or RSF-4 district, or which is shown for single-family residential use on the future land use map of the comprehensive plan. Maximum building height for multiple-family buildings within 100 feet of abutting land designated single-family on the Future Land Use Map is 35 feet (in a maximum of two stories).

However, within traditional city, minimum building setback is eight feet from side property lines and the maximum building height is five stories.

² Parcels 0.5 acres or smaller existing on November 13, 1991, are exempt from minimum density requirements.

³ To be granted a special use permit for four or five stories in the RMF-6, RMF-7 or RMF-8 districts excluding the College Park, University Heights and Traditional City Special Area Plans (where up to five stories is allowed by right), the applicant must demonstrate that:

- a. The property is not adjacent to property with a single-family residential land use category (this restriction does not apply in College Park, University Heights and Traditional City); and
- b. To promote a more vital, interesting sidewalk environment for pedestrians near taller buildings, reduce the perception of a massive scale delivered by larger buildings with monotonously blank walls, and increase security through citizen surveillance, a minimum of 25 percent non-reflective, transparent glazing is provided on the front and side building walls at pedestrian level (and this glazed area shall be between three feet and eight feet above grade) on the first floor.
- c. First story is at least ten feet floor to ceiling for all buildings.

Accessory Structures for RMF-6, RMF-7 and RMF-8

Minimum front and side yard setbacks	Same requirements as for the principal structure, excluding fences and walls.
Minimum yard setback, rear	15 ft. or 25 ft. when abutting property designated single-family on the future land use map, except within traditional city where the setback is 15 ft.
Maximum building height	25 ft.
Transmitter towers ¹	80 ft.

¹ In accordance with section 30-98.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3954, § 2, 2-14-94; Ord. No. 4045, § 2, 11-28-94; Ord. No. 950808, § 1, 1-22-96; Ord. No. 980990, § 3, 6-28-99; Ord. No. 980735, §§ 2, 3, 9-27-99; Ord. No. 002469, § 1, 3-17-03; Ord. No. 031254, § 1, 9-27-04; Ord. No. 041268, § 4, 8-22-05; Ord. No. 060501, § 1, 6-25-07; Ord. No. 070619, § 1, 3-24-08)

Exhibit B-9

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

- (a) Development plan approval. Prior to the issuance of a building permit within any business or mixed use district, development plan approval, in accordance with article VII, is required.
- (b) Parking. In order to receive and maintain a valid certificate of occupancy within all business or mixed use districts, the parking requirements shall be complied with as set forth in article IX.
- (c) Landscaping. In order to receive and maintain a valid certificate of occupancy within all business or mixed use districts, the landscaping requirements shall be complied with as set forth in article VIII.
- (d) Signs. In order to receive and maintain a valid certificate of occupancy within all business or mixed use districts, the sign requirements shall be complied with as set forth in article IX.
- (e) Flood control. Prior to the issuance of a building permit in any business or mixed use district, the provisions of the flood control district, article VIII, shall be complied with where applicable.
- (f) Access to business uses. Where a parcel of property used for nonresidential use in any business or mixed use district abuts more than one street, access from either street to such property will be permitted only if no property in an RSF-1, RSF-2, RSF-3, RSF-4 or RC residential district or shown for single-family residential use on the future land use map of the comprehensive plan lies immediately across such street from such business or mixed use zoned property; provided, however, access may be permitted from any collector or arterial as shown in the comprehensive plan; and provided, further, that one point of access shall be permitted in any case, notwithstanding other provisions of this subsection.
- (g) Outdoor storage and sales. All principal uses in any business or mixed use district shall be contained within completely enclosed buildings, except as otherwise specifically provided as a permitted use. When not so specifically provided, outdoor storage or display of goods and commodities not contained within completely enclosed buildings is prohibited, except the following uses under the conditions prescribed herein.
 - (1) Outdoor promotional sales, special event sales and the sale of seasonal or temporary goods and commodities other than farmers markets. The city manager may issue a permit for the sale of certain goods and commodities which are strictly of a temporary nature, other than for farmers markets, provided the following conditions and requirements are met:
 - a. Such sales shall not be permitted on public rights-of-way; provided, however, that in areas zoned CCD such sales and displays may be permitted on sidewalks only; and provided, further, that parades and art shows may be permitted on public rights-of-way under such conditions as are otherwise provided by ordinances and policies of the city commission.
 - b. The sales period for seasonal or temporary goods, such as Christmas trees, shall not exceed 30 days; promotional sales such as characterized by the so-called "midnight madness," "truck sale," "tent sale" or "sidewalk sale" shall not exceed 72 hours; and special event sales such as may be permitted in conjunction with a parade, festival or other such event shall not exceed the specified period approved for such event. No more than one permit per applicant per location shall be issued in any given six-month period for seasonal type sales, and no more than one special use permit per applicant per location shall be issued in any given 60-day period of time for promotional type sales.
 - c. Application for a permit under the provisions herein shall be examined and approved by the appropriate departments of the city to ensure protection of the public health, safety and general welfare. In addition to normal concerns of each such department, particular

attention shall be given to traffic flow and control, auto and pedestrian safety, and the effect which such use and activity will have on surrounding uses, particularly where the adjoining use is residential.

- d. When, in the opinion of the city manager, it is deemed necessary, the applicant may be required to post a bond or otherwise provide adequate assurance that the site of the selling activity will be returned to its original or an improved state when the selling activity has ceased.

(2) Outside accessory display and storage.

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

(h) Shopping centers in business zones. Any nonresidential development within any district, except CCD and MU-2, which consists of 50,000 square feet or more of gross floor area, shall comply with the additional requirements for neighborhood shopping centers as detailed in subsection 30-64(d)(3). Minimum parking requirements for such developments shall be based on either the required parking for the particular use(s) or the requirements as set forth for the shopping centers, whichever is the lesser.

(i) Temporary emergency shelters. Use of buildings in the business and mixed use districts for temporary emergency shelters may be permitted by the city manager or designee, provided the following conditions and requirements are met:

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

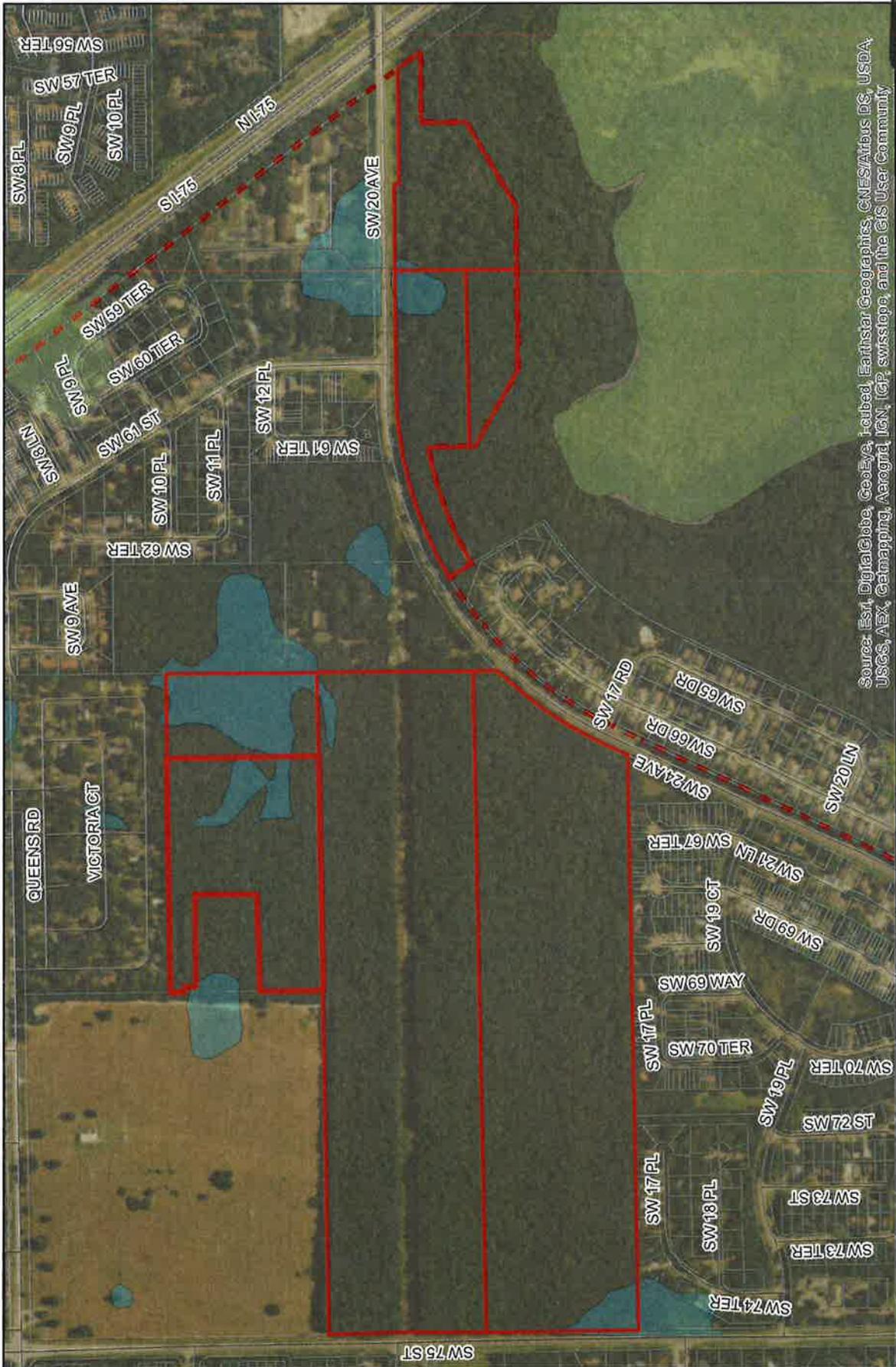
Petition PB-16-108 ZON
September 22, 2016

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3963, § 8, 3-14-94; Ord. No. 970449, § 3, 5-11-98; Ord. No. 000903, § 1, 5-14-01; Ord. No. 020590, § 4, 4-14-03; Ord. No. 120146, § 1, 9-6-12; Ord. No. 130058, § 1, 3-20-14)

Not To Scale

**FEMA Special Flood Hazard Area (SFHA)
 PB-16-107 LUC & PB-16-108 ZON**

A - Annual 1% chance - 100 year
 AE - Annual 1% chance - 100 year - Elevations known
 X - Non Risk
 X500 - Low Risk, area of minimal flooding protected by Levy



Source: Esri, DigitalGlobe, GeoEye, iSat, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroX, GeoMapping, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

This map is for informational purposes only. Do not rely on this map for accuracy of dimensions, size, or location. The City of Gainesville does not assume responsibility to update this information or for any error or omission on this map.



**CITY OF GAINESVILLE – PLANNING & DEVELOPMENT SERVICES DEPARTMENT
INTEROFFICE MEMORANDUM**

TO: Dean Mimms, AICP, Lead Planner
FROM: 
Mark Brown, PWS, CPSS, Environmental Coordinator
SUBJECT: **Petitions PB-16-107 LUC and related PB-16-108 ZON
SW 20th Voluntary Annexation
156.7-acre property located between 1300-1800 block of Tower Road (75th Street) and
1800 block of SW 24th Avenue**
DATE: August 31, 2016

The subject petitions include a proposed change in land use and zoning for a 156.7-acre area that includes a total of seven properties bisected by SW 20th Avenue (Parcels 06677-000-000, 6676-000-000, 6675-001-000 and 06675-003-000 located north of SW 20th; Parcels 06676-000-000, 06677-000-000 and 06680-004-000 located south). The proposed activities have been reviewed for considerations relating to environmental resources regulated by the City's Land Development Code (LDC) 30-300 *Regulated Surface Waters and Wetlands*, and 30-310 *Regulated Natural and Archaeological Resources*.

Historical Habitat Conditions – Review of various documentation (i.e. historical aerials, soil survey, site reviews) were combined with information provided by environmental consultants, agency representatives and the landowners. The habitat conditions for the parcels north of SW 20th Avenue were historically dominated by upland sandhill ecosystems. This habitat typically has canopy coverage provided by pine trees (e.g. slash, longleaf and/or loblolly) as well as hardwoods dominated by oak species (e.g. turkey, laurel, live); with additional coverage provided by pignut hickory, sweetgum, persimmon and Southern magnolia. However, historical aerials of this area indicate the logging of trees and vegetative clearance alternating with long periods of minimal land management activities. This altering of management appears to have culminated with the planting of pine during the early 1990's, followed by minimal to no subsequent implementation of prescribed fire or other land management activities during the last couple decades. As is typical under these conditions, there was a natural recruitment and generation of substantial coverage of hardwood tree species. As expected, the most dominant hardwood species to establish and proliferate within the northern parcels was laurel oak. This tree species doesn't have near the life span compared to live oak and have rapid rates of natural recruitment and expansive growth. As a result for the northern parcels, the canopy and sub-canopy became a dense combination of planted pine and predominantly laurel oaks. In comparison, pine plantings were not introduced during the same time period for the parcels south of SW 20th Avenue. As a result, hardwood species generated and currently provide dense canopy coverage throughout the three southern parcels.

Current Habitat Conditions – North Parcels - In 2016, Alachua County approved timber cutting of the parcels north of SW 20th Avenue. Almost all the trees were logged with the pine transported to a mill for building materials and the hardwoods to the Gainesville Renewable Energy Center (GREC) bio-mass plant to burn for energy production. For the northern parcels, an average of 20 ft. wide buffers of predominately laurel oak trees were not removed adjacent and parallel to the east-west electric transmission line; as well as along the property boundary perimeter. Other than those buffers, only a few isolated trees remain within the northern parcels. As typical after initial clear-cutting of trees within large acreages, the canopy removal has provided optimum rainfall, sunlight and seed dispersal conducive for the rapid recruitment, generation and proliferation of herbaceous vegetation dominated by opportunistic and nuisance species.

The most dominant ground cover species currently includes winged sumac, pokeweed, grapevine, dog fennel and ragweed. With the lower quality habitat remaining within the north parcels, there is minimal evidence of wildlife utilization. As a result of the well-drained sandy soil characteristics within the northern parcels, conditions are adequate and appropriate to support gopher tortoises which are designated as “Threatened” through the Florida Fish & Wildlife Conservation Commission (FFWCC) and protected by state law. cursory review of the north parcel located an active gopher tortoise burrow and even though anticipated to be a low population due primarily to past land clearing and silviculture operations, the large acreage associated with the north parcels indicates the likely presence of many other active burrows. Prior to construction-related activities, adequate and appropriate burrow surveys will be required by the FFWCC to determine the presence and locations of gopher tortoises. In turn, this effort will lead to the potential of on-site protection and/or relocation of individual tortoises through the associated FFWCC permitting guidelines (Chapter 68A-27, F.A.C.).

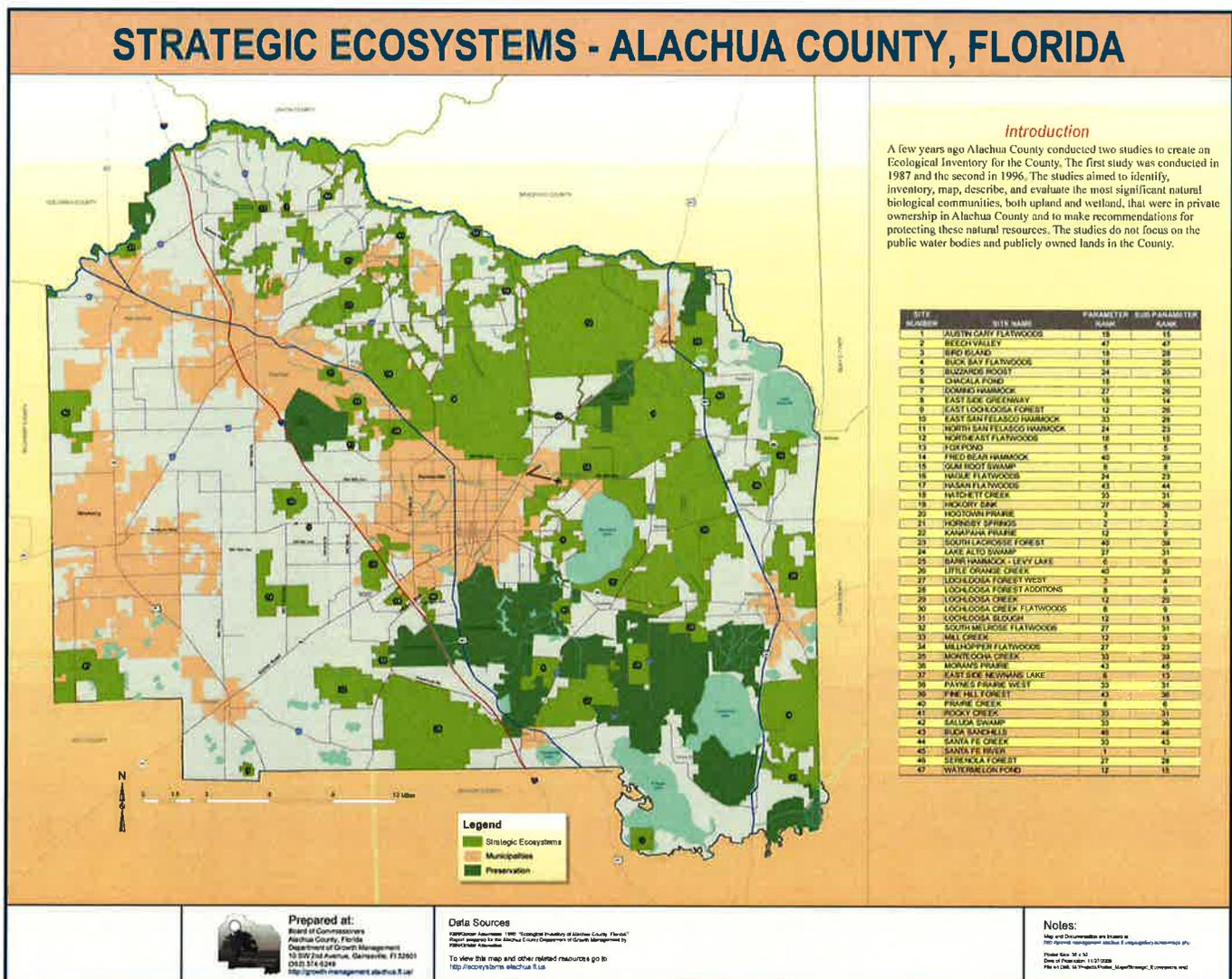


Northern Parcels – looking west from approximately eastern property boundary. Remaining 20 ft. laurel oak buffers include adjacent to south limits of the transmission corridor (right), SW 20th Avenue and existing residential areas (left) and Tower Road (extended far background). Ground cover vegetation dominated by winged sumac, pokeweed, grapevine, ragweed and dog fennel.

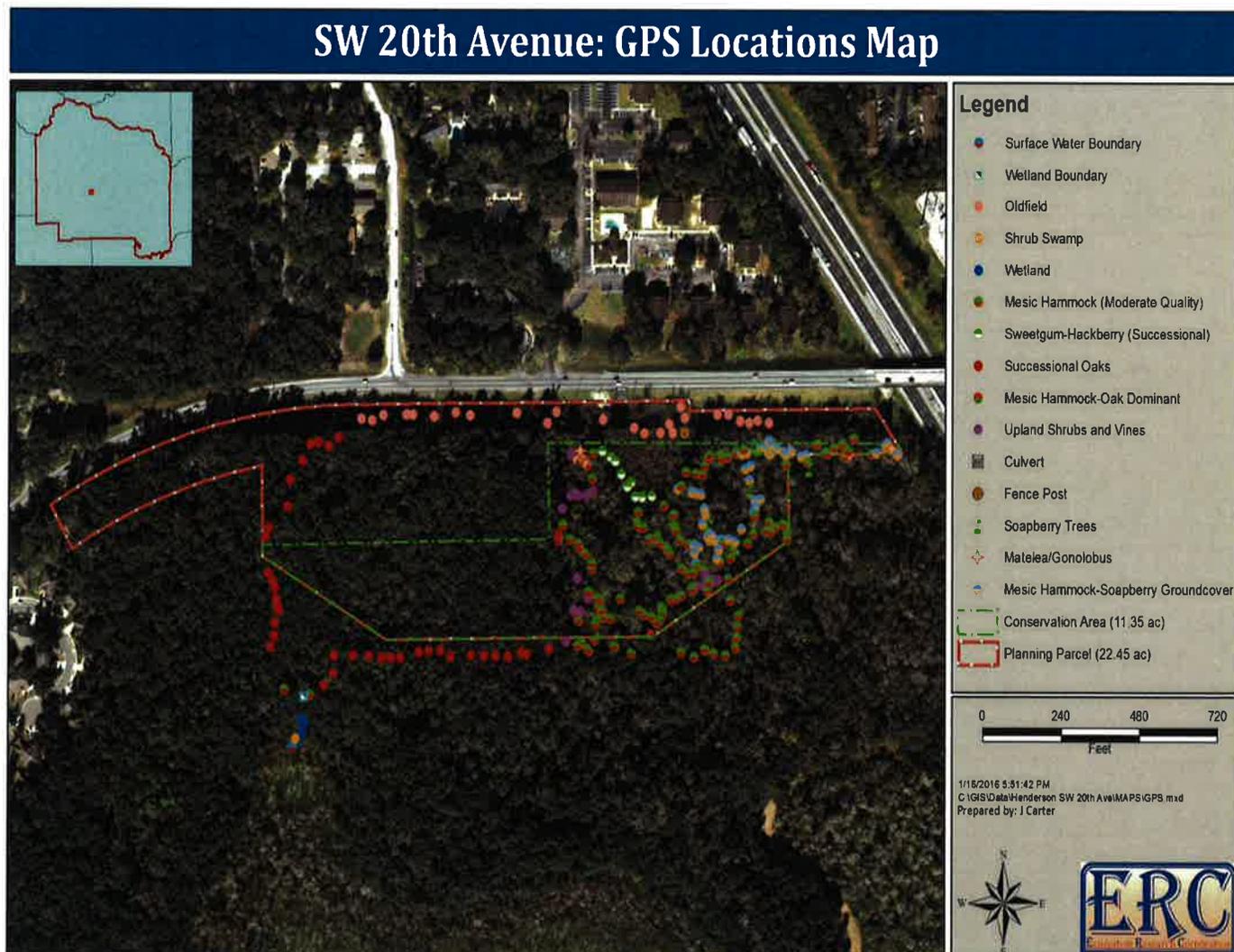
Northern Parcels – looking west from within the electric transmission easement; with 20 ft. tree buffers dominated by laurel oak bordering the north (right) and south (left) cleared easement. Because there was no previous canopy and the easement is periodically mowed, the corridor has different assemblage of herbaceous species than the adjacent logged areas of the property. Common species include various upland grasses, sedges, dog fennel, ragweed, goldenrod and partridge pea.



Current Habitat Conditions – South Parcels - In 1987 and 1996, Alachua County conducted two studies to create an ecological inventory to identify, inventory, describe and evaluate the most significant natural biological upland and wetland communities remaining under private ownership in the county, and to make recommendations for protecting these natural resources. These areas were designated as “Strategic Ecosystems,” and specific criteria were established within the County’s as well as City of Gainesville’s regulatory codes toward appropriate protection and mitigation for proposed impacts to these ecosystems. Mitigation activities associated with these impacts typically include the preservation and management of a portion of the associated habitats; with particular emphasis and effort toward the more ecologically beneficial areas within the associated properties. The entire acreage associated with the three southern parcels is within the most northern limits of the Hogtown Prairie Strategic Ecosystem (SE). The northern boundary of the SE is along the southern right-of-way of SW 20th Avenue, so the three northern parcels associated with this petition are not within a designated SE. The Hogtown Prairie SE is considered one of the more critically important habitats, ranking third in ecosystem benefits out of 47 designated SE’s throughout Alachua County. Fortunately, the majority of property within this SE is under public ownership, including the “Split Rock Conservation Area” (SRCA) which is owned and managed through the City’s Parks Department. The northern boundary of the SRCA adjoins the southern boundary of the southern three parcels associated with the petition.



During the last few years, collaboration and coordination among the City’s Planning Dept. & Parks Dept. staff, associated landowners (Dink & Fred Henderson) and their environmental consultant (ERC, Pete Wallace) was conducted toward the goal of hopefully transferring ownership title and associated land management of a portion of these three parcels to the City as a desired habitat buffer addition to the SRCA. In return, Planning staff preliminarily concurs with the landowner’s request that transferred property will be evaluated for potential mitigation of habitat removed for proposed development within other portions of these parcels. Mr. Wallace conducted an environmental assessment of the three southern parcels that aided with the determination that the higher quality habitats are associated with southern areas adjacent to the SRCA (parcels #06677-000-000 and #06680-004-000; 11-acre conservation boundary depicted below). All the habitats are classified as upland mesic hammocks containing mixed hardwood coverage dominated by live oak, laurel oak, hackberry and sweetgum. In contrast, the northern parcel #06676-000-000 is located along SW 20 Avenue right-of-way and has minimal species diversity dominated by laurel oaks. The 22-acre planning parcel boundary (red) depicted below is associated with all three southern parcels.



Summary – The review of the environmental conditions submitted for this petition resulted in a contrast of current habitat conditions associated with the parcels located north versus south of SW 20th Avenue. The recent logging of the northern parcels and subsequent proliferation of nuisance species result in low habitat ratings. The northern parcels do not possess wetlands or other surface waters; therefore proposed activities within these parcels are exempt from criteria stipulated in the LDC Section 30-310. There are no evident or documented natural features or archaeological artifacts protected under criteria stipulated in Section 30-310.

For the few southern parcels, as noted in the aerial figure and site reconnaissance, presence of wetlands or surface waters haven't been documented during the assessments. However there may be very minor wetland areas that will be verified between the consultant and Planning staff prior to submittal of future development plans. Since the adjacent Split Rock Conservation Area contains high quality sinkhole wetlands that receive direct water flow contributing from Hogtown Creek and discharge into the aquifer, proposed development activities and associated stormwater facilities within the southern parcels will be closely evaluated in order to ensure adoption of appropriate water quality features. As for the potential of establishing set-aside mitigation acreage to address Strategic Ecosystem requirements stipulated in Section 30-310, the landowners have been pro-active in the evaluation process. Discussions with Mr. Dink Henderson have indicated this process will continue toward achieving the Strategic Ecosystem requirements. In turn, this can provide valuable ecological benefits to expand upon and buffer the Split Rock Conservation Area from future development activities.



Appendix C Application



APPLICATION—CITY PLAN BOARD
Planning & Development Services

OFFICE USE ONLY	
Petition No. <u>PB 16-108 ZON</u>	Fee: \$ <u>N/A</u>
1 st Step Mtg Date: _____	EZ Fee: \$ _____
Tax Map No. _____	Receipt No. _____
Account No. 001-660-6680-3401 []	
Account No. 001-660-6680-1124 (Enterprise Zone) []	
Account No. 001-660-6680-1125 (Enterprise Zone Credit []	

Owner(s) of Record (please print)	
Name:	<u>Henderson Land Trust</u>
Address:	<u>3601 S. Main Street Suite 1</u> <u>Gainesville, FL 32601</u>
Phone:	Fax:
(Additional owners may be listed at end of applic.)	

Applicant(s)/Agent(s), if different	
Name:	<u>City of Gainesville</u>
Address:	<u>306 NE 6th Ave</u> <u>Gainesville, FL 32601</u>
Phone:	Fax:

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

REQUEST

Check applicable request(s) below:		
Future Land Use Map []	Zoning Map <input checked="" type="checkbox"/>	Master Flood Control Map []
Present designation:	Present designation: <u>R-2A, R-1A</u>	Other [] Specify:
Requested designation:	Requested designation: <u>MU-2, MU-1</u> <u>RMF-7, RMF-5, RSF-4</u>	

INFORMATION ON PROPERTY

1. Street address:
2. Map no(s):
3. Tax parcel no(s): <u>06675-001-000, 06675-003-000, 06676-000-000, 06677-000-000, 06680-004-000</u>
4. Size of property: <u>156.73</u> acre(s)

*All requests for a land use or zoning change for property of less than 3 acres are encouraged to submit a market analysis or assessment, at a minimum, justifying the need for the use and the population to be served. All proposals for property of 3 acres or more **must** be accompanied by a market analysis report.*

Certified Cashier's Receipt:

5. Legal description (attach as separate document, using the following guidelines):

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

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

A. What are the existing surrounding land uses?

North UFMaster Plan, Alachua RM & RH land use

South Conservation, Alachua RM land use

East Alachua RH land use, 1-75

West CoG SF land use, Tower Road

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

NO N/A

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

C. If the request involves nonresidential development adjacent to existing or future residential, what are the impacts of the proposed use of the property on the following:

Residential streets

Noise and lighting

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

NO X YES ____ (If yes, please explain below)

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

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

NO X YES ____

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

NO X YES ____

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

Redevelopment ____
Activity Center X
Strip Commercial ____

Urban Infill ____
Urban Fringe ____
Traditional Neighborhood ____

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

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

This subject property was annexed into the City of Gainesville and requires City land use & zoning. Development of the property with a mix of residential & non-residential uses will benefit the city's tax base and housing.

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

Roadways

No impact

Recreation

No impact

Water and Wastewater

Reduction from current Alachua County entitlements

Solid Waste

No impact

Mass Transit

No impact

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

NO

YES (please explain)

CERTIFICATION

The undersigned has read the above application and is familiar with the information submitted. It is agreed and understood that the undersigned will be held responsible for its accuracy. The undersigned hereby attests to the fact that the parcel number(s) and legal description(s) shown in questions 3 and 5 is/are the true and proper identification of the area for which the petition is being submitted. Signatures of all owners or their agent are required on this form. Signatures by other than the owner(s) will be accepted only with notarized proof of authorization by the owner(s).

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

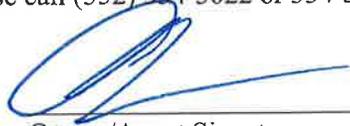
Owner of Record	
Name:	
Address:	
Phone:	Fax:
Signature:	

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

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

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

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



Owner/Agent Signature

8-1-16

Date

STATE OF FLORIDA
COUNTY OF _____

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

Signature – Notary Public

Personally Known ____ OR Produced Identification ____ (Type) _____



Professional Consultants



JACKSONVILLE | GAINESVILLE | OCALA

8563 Argyle Business Loop, Ste. 3, Jacksonville, Florida 32244

132 NW 76th Drive, Gainesville, Florida 32607

101 NE 1st Avenue, Ocala, Florida 34470

planning.surveying.engineering.construction.

**Application Package
Table of Contents**

- 1. Cover Letter**
- 2. School Concurrency Form**
- 3. Property Owner Affidavit**
- 4. Legal Descriptions**
- 5. Justification Report**
- 6. Map Set**

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August 1, 2016

Ralph Hilliard, Planning Manager
City of Gainesville Planning Department
306 NE 6th Avenue
Gainesville, FL 32608

Re: Tower Road / SW 20th Avenue Annexation Site
Large-scale Comprehensive Plan Amendment & Rezoning Applications

Dear Ralph:

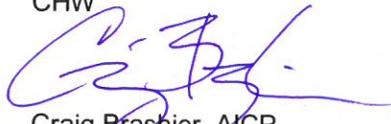
As the authorized agent for the property owners, CHW submits justification reports, mapping, legal descriptions, and a School Concurrency Form in support of the City of Gainesville's Large-scale Comprehensive Plan Amendment and Rezoning applications for property recently annexed into the City. The ±156.73-acre site is located along Tower Road and also has frontage on SW 20th Avenue.

These applications will apply City of Gainesville Future Land Use designations and zoning districts to replace the current Alachua County FLU and zoning designations. The intent is to allow similar types and amounts of development as permitted by the Alachua County FLU designations and zoning districts, as well as the County's TND / TOD policies.

Since these applications are associated with the recent annexation actions, no application fees are required. Similarly, no neighborhood workshop was required. The City of Gainesville will be the applicant on these applications.

We trust that this information is sufficient for your review and placement on the September 22, 2016 City Plan Board agenda. Please let me know if you have any questions or need any additional information.

Sincerely,
CHW



Craig Brashier, AICP
Planning Manager

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Table of Contents**

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**PUBLIC SCHOOL STUDENT GENERATION
CALCULATION FORM FOR RESIDENTIAL
DEVELOPMENT IN CITY OF GAINESVILLE**

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES
(352) 334-5022

OFFICE USE ONLY	
Petition No. _____	Application Date: _____

Owner(s) of Record (please print)
Name: Henderson Land Trust
Address: 3501 S. Main St., Suite 1 Gainesville, FL 32601
E-mail Address: Contact Agent
Phone: Contact Agent Fax:

Applicant(s)/Agent(s), if different
Name: CHW
Address: 132 NW 76th Drive Gainesville, FL 32607
E-mail Address: craigb@chw-inc.com
Phone: 352-331-1976 Fax:
(Attach notarized authorization for agent to act on owner's behalf)

PROJECT INFORMATION
1. Project Name: Tower Road / SW 20th Avenue Annexation Site
2. Street address: N/A
3. Tax parcel no(s): 00675-001-000, 06675-003-000, 06676-000-000, 06677-000-000, 06680-004-000
4. Size of property: ±156.73 acre(s)

Development Data

(If this is a phased development, attach a sheet showing the phasing schedule)

Single Family Residential
 Multi-Family Residential
 Exempt: _____
 Number of Units: 178
 Number of Units: 1,877
 (See exemptions on page 2)

Level of Review

Design Plat
 Final Plat
 Preliminary
 Final
 Revised
 Staff Review

SCHOOL CONCURRENCY SERVICE AREAS (SCSA) FOR PROJECT LOCATION:

Based on the project location, please identify the corresponding School Concurrency Service Areas for each school type. Maps of the SCSAs can be obtained from the City of Gainesville Planning Division.

Elementary: West Urban CSA
 Middle: Kanapaha CSA
 High: Buchholz CSA

EXPLANATION OF STUDENT GENERATION CALCULATION:

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

SINGLE FAMILY RESIDENTIAL DEVELOPMENT STUDENT GENERATION CALCULATIONS:

Elementary School: 178 units x 0.159* Elementary School Multiplier = 28 Student Stations
Middle School: 178 units x 0.080* Middle School Multiplier = 14 Student Stations
High School: 178 units x 0.112* High School Multiplier = 20 Student Stations

MULTI- FAMILY RESIDENTIAL DEVELOPMENT STUDENT GENERATION CALCULATIONS:

Elementary School: 1,877 units x 0.042* Elementary School Multiplier = 79 Student Stations
Middle School: 1,877 units x 0.016* Middle School Multiplier = 30 Student Stations
High School: 1,877 units x 0.019* High School Multiplier = 36 Student Stations

* Source: School Board of Alachua County: 2009-2010 Five Year District Facilities Plan

Exempt Developments:

- (a) Existing single-family legal lots of record eligible for a building permit.
- (b) Development that includes residential uses that received final development plan approval prior to the effective date for public school concurrency, or are actively being reviewed and have received preliminary plan approvals prior to 12/18/08, provided the development approval has not expired.
- (c) Amendments to final development orders for residential development approved prior to 12/18/08 and which do not increase the number of students generated by the development.
- (d) Age-restricted developments that prohibit permanent occupancy by persons of school age, provided this condition is satisfied in accordance with the standards of Policy 2.5.2.d. of the Public Schools Facilities Element or the Interlocal Agreement (ILA).
- (e) Group quarters that do not generate public school students, as described in Policy 2.4.2.e. of the Public Schools Facilities Element.

CERTIFICATION

The undersigned has read the above application and is familiar with the information submitted. It is agreed and understood that the undersigned will be held responsible for its accuracy. The undersigned hereby attests to the fact that the parcel number(s) shown in question 3 is/are the true and proper identification of the area for which the petition is being submitted. Signatures of all owners or their agent are required on this form. Signatures will be accepted only with notarized proof.

[Signature]
Owner/Agent Signature
8/25/2016
Date

STATE OF FLORIDA
COUNTY OF Alachua

Sworn to and subscribed before me this 25th day of August 2016,
by (Name) Craig Brasher.

[Signature]
Signature – Notary Public

Personally Known X OR Produced Identification (Type)



Certification by School Board of Alachua County

This application for a determination of adequacy of public schools to accommodate the public school students generated by the subject development, has been reviewed by the School Board of Alachua County (designated staff representative). The following determinations have been made:

The application is **approved** based upon the following findings:

Elementary: Capacity Required _____ SCSA _____

- Capacity available Available Capacity _____
- Capacity available in three years Available Capacity _____
- Capacity Available in adjacent SCSA Available Capacity _____

Middle: Capacity Required _____ SCSA _____

- Capacity available Available Capacity _____
- Capacity available in three years Available Capacity _____
- Capacity Available in adjacent SCSA Available Capacity _____

High Capacity Required _____ SCSA _____

- Capacity available Available Capacity _____
- Capacity available in three years Available Capacity _____
- Capacity Available in adjacent SCSA Available Capacity _____

Denied for reasons stated

Vicki McGrath
Director of Community Planning
School Board of Alachua County

Date

**Application Package
Table of Contents**

1. Cover Letter
2. School Concurrency Form
- 3. Property Owner Affidavit**
4. Legal Descriptions
5. Justification Report
6. Map Set

AFFIDAVIT

Henderson Land Trust

Owner(s)

Application Number

CHW

Appointed Agent(s)

06675-001-000, 06675-003-000, 006676-000-000, & 06677-000-000

09

10S

19E

Parcel Number(s)

Section

Township

Range

Comprehensive Plan Amendment, Rezoning, and Development Plan Applications

Type of Request

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

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

James Dink Henderson

Owner (Signature)

Owner (Signature)

STATE OF FLORIDA
COUNTY OF ALACHUA

SWORN AND SUBSCRIBED BEFORE ME THIS 14th DAY

OF July, 2016

BY James Dink Henderson

WHO IS/ARE PERSONALLY KNOWN TO ME OR HAS/HAVE
PRODUCED _____

(TYPE OF IDENTIFICATION) AS IDENTIFICATION.

(SEAL ABOVE)



Kelly Jones Bishop

Name of Notary typed, printed or stamped

FF 167278

Commission Number

Pr. 82.70
Int. 30
Int. 30
Total 83.05

QUIT CLAIM DEED

This instrument prepared by:
R.L. Henderson Jr.
Dell, Graham, Wilcox, Garber,
Henderson, Nonce & Coles, P.A.,
233 N.E. First Street
Gainesville, Florida 32601

THIS INDENTURE, made this 27th day of July,
1988 by and between BURNEY M. HENDERSON; BURNEY M.
HENDERSON, as Trustee for Trust Number Four under the Will
of Kate Robinson Henderson; JAMES D. HENDERSON, JR.,
individually, and as Trustee of the James D. Henderson, Jr.
Trust, dated 5 October, 1972; JAMES D. HENDERSON, JR., as
Trustee for Trust Number Two under the Will of Kate Robinson
Henderson; MAY G. HENDERSON, as a Trustee of the James D.
Henderson, Jr. Trust dated 5 October, 1972; R. L. HENDERSON,
JR., as a Trustee of the James D. Henderson, Jr. Trust dated
5 October, 1972; ELEANOR H. CRUTCHER; individually and as
Trustee for Trust Number Three under the Will of Kate
Robinson-Henderson; CAROLYN G. HENDERSON, individually, and
as Trustee for Trust Number Five under the Will of Kate
Robinson Henderson; MARY JANICE H. THORNTON; and ANNIE MAE
H. MCCREARY, individually, and as Trustee for Trust Number
Six under the Will of Kate Robinson Henderson; all of the
foregoing constituting all of the partners of Henderson Land
and Lumber Company, a co-partnership and Florida general
partnership, as parties of the first part, and R. L.
HENDERSON, JR., AS TRUSTEE under the provisions of that
certain Trust Agreement dated July 27, 1988 and
known as HENDERSON LAND TRUST, whose mailing address is 2303
N.E. 27th Avenue, Gainesville, Florida 32609, as party of
the second part,

RECORDED
ORIGINAL RECORDS
1988 JUL 29 P 12:20
CLERK OF CIRCUIT COURT
ALACHUA COUNTY FL

W I T N E S S E T H

That the parties of the first part, for and in
consideration of the premises and the sum of Ten and
no/100ths Dollars (\$10.00) and other good and valuable
consideration to them in hand paid by the parties of the
second part, the receipt of which is hereby acknowledged, do
hereby remise, release and quit claim unto the party of the
second part, and to his successors and assigns, forever, all
of the right, title, interest, claim and demand which the

Doc. St. Amt \$ 0.55
A. Curtis Powers, Clerk of Circuit Court,
Alachua County. By [Signature]

907935

1

BOOK 1706 PAGE 2254

said parties of the first part have in and to the following described real property and property interests and rights situate, lying and being in the County of Alachua, State of Florida, to wit:

1. All real property and interests described on the attached:
EXHIBIT "A"
HENDERSON LAND TRUST
FEE SIMPLE REAL PROPERTY DESCRIPTIONS
LANDS LYING IN ALACHUA COUNTY, STATE
OF FLORIDA
Pages 1 through 6.
2. All rights and mineral reservations described on the attached:
EXHIBIT "B"
HENDERSON LAND TRUST
MINERAL RIGHTS RESERVATION DESCRIPTION
INTERESTS LYING IN ALACHUA COUNTY,
STATE OF FLORIDA
Pages 1 through 4
3. All rights held by or accruing to R. L. Henderson, Trustee, under that certain Agreement for Release of Easement and Restriction of Leasehold between R. L. Henderson, Trustee, and Scotty's, Inc., dated September 24, 1980 and recorded on October 7, 1980 in Official Records Book 1305 at page 259 of the public records of Alachua County, Florida.
4. All rights held by or accruing to R. L. Henderson, individually and as Trustee, under that certain Certificate of Title dated August 2, 1979 and recorded on August 3, 1979 in Official Records Book 1224 at page 740 of the public records of Alachua County, Florida, including:
 - (a) Rights under Memorandum Agreement assigned by Assignment of Contract recorded in Official Records Book 801 at page 525 of the public records of Alachua County, Florida, and any easement interest obtained by any of the Defendants pursuant to said Memorandum Agreement.
 - (b) Easement rights pursuant to documents recorded in Official Records Book 803 at page 473, and Official Records Book 848 at page 111 of the public records of Alachua County, Florida.
 - (c) Easement rights pursuant to documents recorded in Official Records Book 832 at page 439 of the public records of Alachua County, Florida.

All attachments referred to above are incorporated herein and made a part hereof by reference.

THIS IS NOT HOMESTEAD PROPERTY

hereinafter called "the Property".

TO HAVE AND TO HOLD the above granted and described property, together with all and singular the rights,

tenements, hereditaments and appurtenances, to the same belonging or in any wise appertaining, unto the said party of the second part and to his successors and assigns forever.

WITH INTENTION TO COMPLY with Section 689.071, Florida Statutes (1985), full power and authority is granted by this Deed to the Trustee, or his successors, to deal in and with The Property or interests therein or any part thereof, and full power and authority is hereby granted to the Trustee, or his successors, either to protect, conserve and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the real property described herein, and any other property rights of whatsoever nature described herein, or any part of it.

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

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

earnings, avails and proceeds from The Property as aforesaid.

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

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

shall be conclusively proved under this Deed when a duly entered Order of Adjudication of Incompetency concerning the Trustee issued by a Court of competent jurisdiction, or a certified copy thereof, is recorded on the public records of Alachua County, Florida.

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

IN WITNESS WHEREOF, the parties of the first part have caused this deed to be executed and hereto affixed their seals this 27th day of July, 1988.

Signed, sealed and delivered in our presence as witnesses:

Burney M. Henderson,
individually and as
Trustee for Trust Number
Four under the Will of
Kate Robinson Henderson,
deceased

James D. Henderson
William M. Henderson
As to B.N.H. by B.F.H.

BY: Elizabeth F. Henderson
Elizabeth F. Henderson,
as his Attorney-in-Fact

Christina L. Faberhally
Warren S. Oldham
As to J.D.H.Jr.

James D. Henderson, Jr.
James D. Henderson, Jr.
individually and as
Trustee of the James D.
Henderson, Jr. Trust
dated 5 October 1972

Christina L. Faberhally
Warren S. Oldham
As to M.G.H.

May G. Henderson
May G. Henderson,
as Trustee of the James
D. Henderson, Jr., Trust
dated 5 October 1972

Christina L. Faberhally
Warren S. Oldham
As to R.L.H.Jr.

R. L. Henderson, Jr.
R. L. Henderson, Jr., as
Trustee of the James D.
Henderson, Jr. Trust
dated 5 October 1972

Christina L. Faberhally
Warren S. Oldham
As to J.D.H.Jr.

James D. Henderson, Jr.
James D. Henderson, Jr.
as Trustee for Trust
Number Two under the will
of Kate Robinson
Henderson, deceased

Christina L. Schuchatz
Laverie H. Rice
As to C.G.H.

Carolyn G. Henderson
Carolyn G. Henderson,
individually and as
Trustee for Trust Number
Five under the will of
Kate Robinson Henderson,
deceased

Dolly Clital
Beth M. Mattelbaum
As to E.H.C.

Eleanor H. Crutcher
Eleanor H. Crutcher,
individually and as
Trustee for Trust Number
Three under the will of
Kate Robinson Henderson,
deceased

Jose D. Refree
Willie C. Merrill
As to N.J.H.T.

Mary Janice H. Thornton
Mary Janice H. Thornton

Jose D. Refree
Willie C. Merrill
As to A.M.H.M.

Annie Mae H. McCreary
Annie Mae H. McCreary,
individually and as
Trustee for Trust Number
Six under the Will of
Kate Robinson Henderson,
deceased

STATE OF FLORIDA
COUNTY OF Escambia

Personally before me appeared Elizabeth F. Henderson as Attorney-in-Fact for Burney M. Henderson, individually and as Trustee for Trust Number Four under the will of Kate Robinson Henderson, deceased, to me well known and known to be the person described in and who executed the foregoing Quit Claim Deed, and acknowledged before me that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 27 day of July, 1988.

Mrs. Jose D. Refree
NOTARY PUBLIC State of Florida



My Commission expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. MAR 25, 1991
ISSUED THRU GENERAL REG. DIV.

STATE OF FLORIDA
COUNTY OF Alachua

Personally before me appeared James D. Henderson, Jr., individually and as Trustee of the James D. Henderson, Jr. Trust dated 5 October 1972, to me well known and known to be the person described in and who executed the foregoing Quit Claim Deed, and acknowledged before me that he executed the same for the purposes therein stated.

WITNESS my hand and official seal this 2nd day of July, 1988.

Laverie H. Rice
NOTARY PUBLIC State of Florida



My commission expires:

Notary Public, State of Florida
My Commission Expires Nov. 17, 1989
Banded This Day For Insurance Fee

STATE OF FLORIDA
COUNTY OF Alachua

Personally before me appeared May G. Henderson, as Trustee, of the James D. Henderson Trust dated 5 October 1972, to me well known and known to be the person described in and who executed the foregoing Quit Claim Deed, and acknowledged before me that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 22nd day of July, 1988.

Laomi S. Oelch
NOTARY PUBLIC State of Florida

My commission expires: Notary Public, State of Florida
My Commission Expires Nov. 17, 1989
Bonded thru Nov. 17th - Insurance Inc.



STATE OF FLORIDA
COUNTY OF Alachua

Personally before me appeared R. L. Henderson, Jr., as Trustee of the James D. Henderson, Jr. Trust dated 5 October 1972, to me well known and known to be the person described in and who executed the foregoing Quit Claim Deed, and acknowledged before me that he executed the same for the purposes therein stated.

WITNESS my hand and official seal this 21st day of July, 1988.

Laomi S. Oelch
NOTARY PUBLIC State of Florida

My commission expires: Notary Public, State of Florida
My Commission Expires Nov. 17, 1989
Bonded thru Nov. 17th - Insurance Inc.



STATE OF FLORIDA
COUNTY OF Alachua

Personally before me appeared James D. Henderson, Jr., as Trustee for Trust Number Two under the will of Kate Robinson Henderson, deceased, to me well known and known to be the person described in and who executed the foregoing Quit Claim Deed, and acknowledged before me that he executed the same for the purposes therein stated.

WITNESS my hand and official seal this 22nd day of July, 1988.

Laomi S. Oelch
NOTARY PUBLIC State of Florida

My commission expires: Notary Public, State of Florida
My Commission Expires Nov. 17, 1989
Bonded thru Nov. 17th - Insurance Inc.



STATE OF FLORIDA
COUNTY OF Alachua

Personally before me appeared Carolyn G. Henderson, individually and as Trustee for Trust Number Five under the will of Kate Robinson Henderson, deceased, to me well known and known to be the person described in and who executed the foregoing Quit Claim Deed, and acknowledged before me that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 21st day of July, 1988.

Laomi S. Oelch
NOTARY PUBLIC State of Florida

Notary Public, State of Florida
My Commission Expires Nov. 17, 1989
Bonded thru Nov. 17th - Insurance Inc.



STATE OF GEORGIA
COUNTY OF Chatham

Personally before me appeared Eleanor H. Crutcher, individually and as Trustee for Trust Number Three under the will of Kate Robinson Henderson, deceased, to me well known and known to be the person described in and who executed the foregoing Quit Claim Deed, and acknowledged before me that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 25th day of July, 1988.

Bettie M. Quattlebaum
NOTARY PUBLIC State of Florida
BETTIE M. QUATTLEBAUM
Notary Public, Chatham County, Georgia
My Commission Expires Oct. 25, 1991



My commission expires:

STATE OF FLORIDA
COUNTY OF Escambia

Personally before me appeared Mary Janice H. Thornton, to me well known and known to be the person described in and who executed the foregoing Quit Claim Deed, and acknowledged before me that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 27 day of July, 1988.

Mrs. Jane D. Reifrod
NOTARY PUBLIC State of Florida

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. MAR 25, 1991
BONDED THRU GENERAL INS. UND.



My commission expires:

STATE OF FLORIDA
COUNTY OF Escambia

Personally before me appeared Annie Mae H. McCreary, individually and as Trustee, for Trust Number Six under the will of Kate Robinson Henderson, deceased, to me well known and known to be the person described in and who executed the foregoing Quit Claim Deed, and acknowledged before me that she executed the same for the purposes therein stated.

WITNESS my hand and official seal this 27 day of July, 1988.

Mrs. Jane D. Reifrod
NOTARY PUBLIC State of Florida



My commission expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. MAR 25, 1991
BONDED THRU GENERAL INS. UND.

EXHIBIT "A"
HENDERSON LAND TRUST
FEE SIMPLE REAL PROPERTY DESCRIPTIONS
LANDS LYING IN ALACHUA COUNTY, STATE OF FLORIDA:

Parcel A:

Begin at the Southwest corner of Lot Eighteen (18), Block Twelve (12), of W. A. Stringfellow's Subdivision, Brown's Addition to Gainesville, as recorded in Plat Book "A", page 100, of the public records of Alachua County, Florida, and run thence North 133.98 feet; thence run East 41.45 feet; thence run South 44.11 feet; thence run East 6.55 feet; thence run South 89.87 feet; thence run West 48 feet to the Point of Beginning.

Parcel B:

Commence at the Northwest corner of Section 5, Township 10 South, Range 20 East, for a point of reference and run South 00°10'08" West, along the West line of said Section and the centerline of NW 13th Street, a distance of 215.95 feet; thence run South 89°49'52" East, a distance of 40.00 feet to a nail and brass disc (P.L.S. 4258) located at the Point of Beginning and on the Easterly right-of-way line of said NW 13th Street; thence continue South 89°49'52" East, along said Easterly right-of-way line, a distance of 42.00 feet to a concrete monument (P.L.S. 4258); thence run North 00°10'08" East, along said Easterly right-of-way line, a distance of 110.69 feet to a nail and brass disc (P.L.S. 4258) located on the Southerly right-of-way line of NW 8th Avenue; thence run Northeasterly along the arc of a non-tangent curve concave Northerly, said curve being the Southerly right-of-way line of NW 8th Avenue and having a central angle of 09°41'53", an arc length of 247.53 feet, a radius of 1462.40 feet and a chord bearing and distance of North 84°36'37" East, 247.28 feet to a brass disc (P.L.S. 4258) located at the intersection of said Southerly right-of-way line with the Easterly line of the West 1/2 of Block 16 of Brown's Addition to the Town of Gainesville, Florida, as per plat recorded in Plat Book "A", page 64 of the Public Records of Alachua County, Florida, said Easterly line also being the Westerly line of Lincoln Terrace, a subdivision as per Plat Book "C", page 93 of said Public Records; thence run South 00°03'56" West along the Westerly lines of Lots 4, 9, and 8 of said Lincoln Terrace, a distance of 391.81 feet to a found iron pipe being accepted as the Northwest corner of Lot 7 of said Lincoln Terrace; thence continue South 00°03'56" West, along the Westerly lines of Lots 7, 6, and 5 of said Lincoln Terrace, a distance of 185.96 feet to an iron pipe found and accepted as the Southwest corner of Lot 5 of said Lincoln Terrace, said iron pipe also being located on the Northerly right-of-way line of NW 7th Avenue; thence run North 89°15'32" West, along said Northerly right-of-way line, a distance of 169.28 feet to a concrete monument found and accepted as the Southeast corner of a parcel of land originally described as an exception in Deed Book 339, page 484 of said Public Records, said parcel of land being described as an independent parcel of land in Official Records Book 1899, page 1500 of said Public Records; thence run North 00°13'21" East, along the Easterly line of said parcel of land described in Official Records Book 1899, page 1800, a distance of 119.90 feet to a concrete monument found and accepted as the Northeast corner of said parcel of land described in Official Records Book 1899, page 1500; thence run North 89°29'13" West, along the Northerly line of said parcel of land described in Official Records Book 1899, page 1500, a distance of 119.97 feet to the intersection of said Northerly line with the aforementioned Easterly right-of-way line of NW 13th Street; thence run North 00°10'08" East, along said Easterly Right-of-way line, a distance of 320.52 feet to the Point of Beginning, containing 3.268 acres, more or less.

Parcel C:

Begin at the Northeast Corner of the Tidal Windham property in Section 27, Township 9 South, Range 20 East; run Northeast along Highway right-of-way 300 feet; thence in Western direction 600 feet; thence in Southwestern direction 300 feet to corner of Tidal Windham property; thence in Eastern direction 600 feet to the Point of Beginning, being in Section 27, Township 9 South, Range 20 East, in Alachua County, Florida.

Parcel D-1:

A parcel of land situated in GREEN RIDGE SUBDIVISION UNIT NO. 1, a subdivision as recorded in Official Record Book 98, Page 590 of Public Records of Alachua County, Florida; said parcel being more particularly described as follows: Commence at the Northwest corner of Section 2, Township 10 South, Range 19 East, and run North 89°54' East along the North line of said Section 2, 1660 feet; thence run South 00°33'45" East 792 feet; thence run North 89°54' East 400 feet to the POINT OF BEGINNING; thence continue North 89°54' East 401.3 feet; thence run South 00°33'45" East 100 feet; thence run North 89°54' East 60 feet; thence run South 00°33'45" East 35 feet; thence run North 89°54' East 788.3 feet to the West line of GOLF CLUB MANOR, a subdivision as recorded in Plat Book "E," page 12 of the Public Records of Alachua County, Florida; thence run South 00°29'54" East along said West line, 686 feet; thence run South 89°54' West 1164.6 feet; thence run North 38°51' West 335.3 feet to the Southwest corner of lot 32 of said Green Ridge Subdivision Unit No. 1; thence run North 89°54' East along the South line of said lot 32, 117.56 feet to the Southeast corner of said lot 32; thence run North 00°29'45" West along the East line of said lot 32 and also along the East line of lots 30, and 12 of said Green Ridge Subdivision Unit No. 1, 424.5 feet to a point on the Southerly line of lot 4 of said Green Ridge Subdivision Unit No. 1, said point also lying on the Northerly right of way line of Northwest 6th Avenue; thence run North 89°54' East along said Northerly right of way line and said Southerly Boundary line, 5.40 feet to the Southwest corner of said lot 4; thence run North 00°29'45" West along the Westerly line of said lot 4, 135 feet to the POINT OF BEGINNING

Parcel D-2:

A parcel of land situated in Section 2, Township 10 South, Range 19 East Alachua County, Florida, said parcel being more particularly described as follows: BEGIN at the Southeast corner of GREEN RIDGE SUBDIVISION UNIT NO. 1, a subdivision as recorded in Official Record Book 98, Page 590 of the Public Records of Alachua County, Florida, and run South 00°29'45" East along the West line of GOLF CLUB MANOR, a subdivision as recorded in Plat Book "E," page 12 of the Public Records of Alachua County, Florida, 1108.21 feet to a point on the Northerly right of way line of State Road No. 26, said point also lying on a curve concave Northerly; thence run Westerly along said curve through a central angle of 09°44'42" a radius of 1477.89 feet, an arc length of 251.36 feet and a chord bearing and distance of North 85°22'10" West 251.06 feet; thence run North 00°29'45" West, 1090.59 feet to a point on the South line of said Green Ridge Subdivision Unit No. 1; thence run North 89°54' West along said South line, 250 feet to the POINT OF BEGINNING.

A portion of the land in Section 2, Township 10 South, Range 19 East, Alachua County, conveyed to Eastern Federal Corporation by instrument recorded at Official Records Book 603, page 36, Public Records of Alachua County, Florida, being more particularly described as follows:

Commence at a railroad spike marking the Northwest corner of said Section 2 for a point of reference; South 89 deg. 40 min. 49 sec. East, along the North line of said Section 2, a distance of 3310.83 feet; thence South 00 deg. 05 min. 54 sec. East, a distance of 449.38 feet to a concrete monument marking the Northwest corner of Golf Club Manor Subdivision, as per plat thereof recorded in Plat Book 3, at page 12 of the public records of Alachua County, Florida, said monument marked with survey disk No. 509; thence South 00 deg. 03 min. 17 sec. East, along the West line of said Golf Club Manor Subdivision, and along the East line of Green Ridge Subdivision, Unit No. 1 (now vacated), as per description recorded in Official Records Book No. 98, at page 590 of the said public records of Alachua County, a distance of 1173.32 feet to an old existing concrete monument; thence North 89 deg. 43 min. 08 sec. West, along the South line of said vacated Green Ridge Subdivision, Unit No. 1, a distance of 719.13 feet to a 4" X 4" concrete monument with a P.L.S. 2115 P.R.M. cap; thence continue North 89 deg. 43 min. 08 sec. West, along the said South line of Green Ridge Subdivision, a distance of 343.66 feet to the point of beginning; thence South 56 deg. 00 min. 10 sec. West parallel to and 60.00 feet Southeast of, the Southeast line of a previous survey by Green and Outlaw, dated, October 2, 1956, a distance of 388.54 feet; thence South 57 deg. 56 min. 30 sec. West, parallel to the Southeast line of Concordia Condominiums, as per found and existing monumentation, a distance of 294.31 feet to an intersection with the Northeasterly right of way line of State Road No. 14 (also being N.W. 39th. Road, and old State Road No. 26) as per found and existing monumentation; thence North 38 deg. 23 min. 57 sec. West, along the said Northeasterly right of way of State Road No. 14, a distance of 60.37 feet to a concrete monument at the most Southerly corner of said Concordia Condominiums; thence North 57 deg. 56 min. 30 sec. East, along the Southeasterly line of said Concordia Condominiums a distance of 299.96 feet to a concrete monument at the most Easterly corner of said Concordia Condominiums, as per found and existing monumentation; thence North 56 deg. 00 min. 10 sec. East along the said Southeast line of the Green and Outlaw survey, a distance of 299.50 feet to a concrete monument marking the Southwest corner of the said vacated Green Ridge Subdivision, Unit No. 1, said monument marked with survey disk No. 944; thence South 89 deg. 43 min. 08 sec. East, along the said South line of Green Ridge Subdivision, a distance of 106.53 feet to the said point of beginning.

Containing 0.88 Acres, more or less.

Parcel E-1:

The West 2/9 of Lot 2 lying in Section 10, T9S, R19E.

Parcel E-2:

Lot One (1) and East 71 acres of Lot Two (2), and all of Lot Three (3), lying in Section 10, T9S, R19E, containing 253 acres, more or less;

Parcel E-3:

Lots 4, 5 and 6, lying in Section 10, T9S, R19E, LESS that portion of Lot 6, more particularly described as follows:

Commence at the S. E. corner of Lot 6 and run North 565 5/7 feet; thence run West 1320 feet; thence run South 565 5/7 feet; thence run East 1320 feet to the Point of Beginning.

Parcel E-4:

The East 60 acres of that part of Lot 2 lying in Section 9, T10S, R19E.

Parcel E-5:

The East 71 acres of that part of Lot 7 lying in Section 9, T10S, R19E.

Parcel E-6:

That part of Lots 3, 4, 5, and 6, lying in Section 9, Township 10 South, Range 19 East, as per plat recorded in Plat Book "A", page 10 of the Public Records of Alachua County, Florida.

Parcel E-7:

That part of Section 9, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at the Southwest Corner of said Section 9 for a Point of Reference; thence run North 89 deg. 05'41" East along the South Line of said Section 9 a distance of 1319.75 feet for the Point of Beginning; thence from the said Point of Beginning continue North 89 deg. 05'41" East along the South line of said Section 9 a distance of 100.00 feet; thence run North 00 deg. 42'45" West a distance of 112.89 feet to an intersection with the Southerly right-of-way line of County Road No. S.W. 30, said intersection being on a curve concave Northwesterly, having a radius of 1959.86 feet and a total central angle of 20 deg. 22' 05"; thence run Southwesterly along the said Southerly right-of-way line of County Road No. S.W. 30, an arc distance of 107.97 feet, through an arc angle of 03 deg. 09'23"; thence run South 00 deg. 42'45" East, a distance of 72.54 feet to an intersection with the South line of said Section 9 and the Point of Beginning.

LESS AND NOT INCLUDING PROPERTY INTERESTS HERETOFORE CONVEYED BY R. L. HENDERSON, TRUSTEE, (OR AS TRUSTEE), OR HIS SUCCESSORS IN INTEREST, FROM THE ABOVE PARCELS E-1 THROUGH E-7 BY INSTRUMENTS RECORDED IN THE OFFICIAL RECORDS OF ALACHUA COUNTY, FLORIDA, AS FOLLOWS:

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

ORB 466 at page 180	ORB 1050 at page 355
ORB 591 at page 263	ORB 1308 at page 288
ORB 854 at page 827	ORB 1564 at page 1316
ORB 862 at page 370	ORB 1574 at page 337
ORB 956 at page 406	ORB 1589 at page 201
ORB 874 at page 222	ORB 1579 at page 698
ORB 701 at page 114	ORB 1603 at page 1278

Parcel F-1:

A One Third (1/3) undivided interest in the following described property:

Section 22; the NE 1/4 of the NW 1/4 and the NW 1/4 of the NE 1/4 lying West of State Road 225, and West of State Road 24 in Section 23; the South 100' of Section 14 West of State Road 225 and South 100' of East 100' of Section 15, all lying in Township 9 South, Range 20 East.

Parcel F-2:

A One Third (1/3) undivided interest in the following described property:

A tract of land situated in the NE 1/4 of the NW 1/4 and in the NW 1/4 of the NE 1/4 of Section 27, Township 9 South, Range 20 East, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the NW corner of Section 27, Township 9 South, Range 20 East, and run South 89 deg. 25'38" East, along the North line of said Section 27, 2337.20 feet to the intersection of the North line of said Section 27 and the Northerly right-of-way line of NE 39 Avenue, said intersection being the Point of Beginning; thence continue South 89 deg. 25'38" East along the North line of said Section 27, 908.79 feet to the centerline of the City of Gainesville Power Line easement; thence run South 19 deg. 45'22" West along the center line of the City of Gainesville Power Line easement, 172.02 feet to the Northerly right-of-way line of said NE 39 Avenue; thence run Westerly along the Northerly right-of-way line of NW 39 Avenue, with a curve concave Southerly, said curve having a central angle of 08 deg. 36'33", a radius of 5779.58 feet, a length of 868.40 feet and a chord of North 78 deg. 38'57" West 867.60 feet to the Point of Beginning, said tract of land containing 1.480 acres, more or less.

Parcel F-3:

A One Third (1/3) undivided interest in the following described property:

A tract of land situated in the NE 1/4 of Section 27, T9S, R20E, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the NE corner of Section 27, T9S, R20E, and run North 89 deg. 25'38" West, along the North line of Sec. 27, 360.57 feet to the Point of Beginning; thence run South 35 deg. 20'22" West, 825.28 feet to the Northerly right-of-way line of NE 39 Avenue; thence run Northwesterly along the Northerly right-of-way line of said NE 39 Avenue with a curve concave Southwesterly, said curve having a central angle of 13 deg. 42'24", a radius of 5779.58 feet, a length of 1382.63 feet and a chord bearing and distance of North 67 deg. 28'54" West, 1379.31 feet; thence run North 19 deg. 45'22" East, 172.02 feet to the North line of Sec. 27, T9S, R20E; thence run South 89 deg. 25'38" East, along the North line of said Sec. 27, 1693.44 feet to the Point of Beginning; said tract of land containing 15.026 acres, more or less.

Parcel F-4:

A One Third (1/3) undivided interest in the following described property:

The North 50 feet of Section 27, T9S, R20E, Alachua County, Fla., LESS that certain parcel deeded to the City of Gainesville by DEED recorded in Official Record Book 526 at page 88 of the Public Records of Alachua County, Florida.

LESS AND NOT INCLUDING PROPERTY INTERESTS HERETOFORE CONVEYED BY R. L. HENDERSON, TRUSTEE, (OR AS TRUSTEE), OR HIS SUCCESSORS IN INTEREST, FROM THE ABOVE PARCELS F-1 THROUGH F-4 BY INSTRUMENTS RECORDED IN THE OFFICIAL RECORDS OF ALACHUA COUNTY, FLORIDA, AS FOLLOWS:

ALL PUBLIC RIGHTS-OF-WAY
ALL EASEMENTS OF RECORD
ORB 306 at page 515 ORB 831 at page 348
ORB 556 at page 214 ORB 1628 at page 2768
ORB 654 at page 138 ORB 1609 at page 425
ORB 799 at page 84

ALSO, LESS AND EXCEPTED OUT OF THE ABOVE PARCELS F-1 THROUGH F-4, the following described real property:

A parcel of land situated in the SW 1/4 of Section 22, T9S, R20E, Alachua County, Florida, being more particularly described as follows:

Commence at the SW corner of said Section 22 and run thence South 89 deg. 25'38" East along the Southerly boundary of said Section 49.76 feet; thence North 0 deg. 34'22" East, 37.00 feet to the intersection of the Northerly right-of-way line of NE 39 Avenue (100' R/W) and the Easterly right-of-way line of NE 15 Street (100' R/W); thence North 0 deg. 12'02" East along said Easterly right-of-way line 623.00 feet to the Point of Beginning; thence continus North 0 deg. 12'02" East along said Easterly right-of-way line 1545.00 feet; thence South 89 deg. 25'38" East, parallel to the Southerly boundary of said Section 22, 573.29 feet; thence South 13 deg. 55'00" East, 276.30 feet; thence South 22 deg. 03'00" East, 1290.00 feet; thence South 59 deg. 40'00" East, 162.82 feet; thence South 0 deg. 12'02" West 5.87 feet; thence North 89 deg. 25'38" West, parallel to the Southerly boundary of said Section 22, 1270.00 feet to the P.O.B., containing 30.315 acres, more or less.

ALSO, LESS AND EXCEPTED OUT OF THE ABOVE DESCRIBED PARCELS F-1 THROUGH F-4, the following described real property:

Commence at the SW corner of Section 22, T9S, R20E, and run South 89 deg. 25'38" East, along the South line of said Section 22, 49.76 feet; thence run North 00 deg. 34'22" East, 37.00 feet to the intersection of the East right-of-way line of NE 15 Street and the North right-of-way line of NE 39 Avenue, said intersection being the Point of Beginning; thence run South 89 deg. 25'38" East, along the North right-of-way line of said NE 39 Avenue, 1270.00 feet; thence run North 00 deg. 12'02" East, 623.00 feet; thence run North 89 deg. 25'38" West, 1270.00 feet to the East right-of-way line of said NE 15 Street; thence run South 00 deg. 12'02" West, along the East right-of-way line of said NE 15 Street 623.00 feet to the Point of Beginning; said tract of land containing 18.163 acres, more or less.

EXHIBIT "B"
HENDERSON LAND TRUST
MINERAL RIGHTS RESERVATION DESCRIPTIONS
INTERESTS LYING IN ALACHUA COUNTY, STATE OF FLORIDA:

Reservation M-1:

Those interests reserved in WARRANTY DEED from Kate R. Henderson, et al to Brunswick Pulp and Paper Company dated April 3, 1967 and recorded in Official Record Book 474, at page 478, of the Public Records of Alachua County, Florida, which said reservation is described in said WARRANTY DEED as follows:

4. A reservation by the Grantors for themselves, their heirs and assigns, in the proportions in which they now own the lands, of a one-half ($\frac{1}{2}$) interest in all oil, gas and mineable minerals, including phosphate, in, on and under all of the lands above described, together with the right to explore said lands therefor and with the prior consent of the Grantee, which consent shall not be unreasonably withheld, to drill for and exploit the same. This reservation shall terminate fifty (50) years after the date of this deed, except for any such oils, gases or mineable minerals, including phosphate, then in production.

and which said reservation retains the described rights in the following described real property to-wit:

IN TOWNSHIP 7 SOUTH, RANGE 18 EAST:

Section 24: The South Half of the Northeast Quarter ($S\frac{1}{2}$ of $NE\frac{1}{4}$) and the North Half of the Southeast Quarter ($N\frac{1}{2}$ of $SE\frac{1}{4}$).

Section 25: The Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}$ of $NE\frac{1}{4}$) and the East Half of the Southeast Quarter ($E\frac{1}{2}$ of $SE\frac{1}{4}$).

IN TOWNSHIP 7 SOUTH, RANGE 19 EAST:

Section 4: The East Half of the Northeast Quarter ($E\frac{1}{2}$ of $NE\frac{1}{4}$) South of the Santa Fe River and the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4}$ of $NE\frac{1}{4}$) South of the Santa Fe River.

Section 8: The Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}$ of $SE\frac{1}{4}$) and the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}$ of $SW\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4}$ of $SE\frac{1}{4}$).

Section 10: The Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}$ of $SW\frac{1}{4}$) South and West of the Santa Fe River.

Section 15: The Northeast Quarter ($NE\frac{1}{4}$) South and West of the Santa Fe River.

Section 15: The Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}$ of $NW\frac{1}{4}$) and the North Half of the Northwest Quarter of the Southwest Quarter ($N\frac{1}{2}$ of $NW\frac{1}{4}$ of $SW\frac{1}{4}$).

Section 17: The Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}$ of $NW\frac{1}{4}$) and the North Half of the Northeast Quarter ($N\frac{1}{2}$ of $NE\frac{1}{4}$), LESS schoolhouse lot and ALSO LESS a parcel described as:
Beginning at a point 202 yards South of the Northwest corner of the Northeast Quarter of the Northeast Quarter ($NE\frac{1}{4}$ of $NE\frac{1}{4}$), run thence East 88 yards more or less to the railroad right of way, run thence South 105 feet, run thence West 105 feet, run thence North 105 feet, run thence East 105 feet to the point of beginning,
and ALSO LESS a right of way of the railroad and ALSO LESS one-quarter ($\frac{1}{4}$) acre as described in Deed Book 72 at page 31. and the West Half of the Northwest Quarter ($W\frac{1}{2}$ of $NW\frac{1}{4}$).

Section 19: The Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) and the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4}$ of $NE\frac{1}{4}$) and the South Half of the Northwest Quarter ($S\frac{1}{2}$ of $NW\frac{1}{4}$) and the West Three-Quarters of the South Half ($W\frac{3}{4}$ of $S\frac{1}{2}$).

Section 24: The North Half of the Northwest Quarter ($N\frac{1}{2}$ of $NW\frac{1}{4}$).

Section 28: The Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}$ of $SE\frac{1}{4}$), LESS 1.08 acres as described in Official Records Book 83 at page 229.

Section 30: The West Half of the Northeast Quarter ($W\frac{1}{2}$ of $NE\frac{1}{4}$) and the South Half of the Northwest Quarter ($S\frac{1}{2}$ of $NW\frac{1}{4}$) and the West Half of the Southeast Quarter ($W\frac{1}{2}$ of $SE\frac{1}{4}$) and the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}$ of $SW\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}$ of $NW\frac{1}{4}$).

Section 27: Five (5) acres of land lying North of and adjacent to the Seaboard Air Line Railroad in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$), the same being part of the tract upon which C. H. Conoley and Company Turpentine Still was formerly located. Except the following lot sold to the Board of Public Instruction of Alachua County, Florida:

Beginning at a point where the public road from Gainesville to Worthington Springs leaves the right of way of the Seaboard Air Line Railroad, on the North side of the railroad and on the West side of the public road, and run North on said public road 70 yards, thence run West 70 yards, thence run South 70 yards to the right of way of the railroad again, thence run East along said right of way of Seaboard Air Line Railroad to the point of beginning,

said land being also known as Blocks 40, 41 and 42, less that part of Block 42 South of Sloan's Mill Branch, in Way's Addition to LaCrosse.

IN TOWNSHIP 6 SOUTH, RANGE 19 EAST:

Section 31: The Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ of SE $\frac{1}{4}$).

IN TOWNSHIP 10 SOUTH, RANGE 22 EAST:

Section 19: The Northwest Quarter (NW $\frac{1}{4}$), West of Lochloosa Creek, Also all of Lots 82.

83 and 84 of Grove Park. Also all of the land East of Lot 82 and West of Lochloosa Creek.

Also described as follows:

Parcel 1: Blocks 82, 83 and 84 of Grove Park, according to plat made by W. W. Bailey, County Surveyor, recorded in Plat Book "A" at page 5. ALSO, all land lying East of Block 82 of Grove Park and West of Lochloosa Creek.

Parcel 2: The Northwest Quarter (NW $\frac{1}{4}$) lying West of Lochloosa Creek.

Reservation M-2:

Those interests reserved in WARRANTY DEED from R. L. Henderson, Trustee to H. L. Marrell dated May 20, 1946 and recorded in Deed Book 224, at page 240 of the Public Records of Alachua County, Florida, described therein as all oil and mineral rights forever in the following described real property, to-wit:

The Southeast one-quarter (SE 1/4) of the Northeast one-quarter (NE 1/4) and the South half (S 1/2) of the Northeast one-quarter (NE 1/4) of the Northeast one-quarter (NE 1/4) in Section 19, T7S, R19E, Alachua County, Florida, comprising 60 acres, more or less.

Reservation M-3:

Those interests reserved in WARRANTY DEED from R. L. Henderson, (as Trustee) to Roy D. Callon and wife, dated April 28, 1956 and recorded in Official Record Book 347, at page 498 of the Public Records of Alachua County, Florida, described therein as follows:

Subject, however, to a one-half interest in all oil, gas and other minerals in, under and upon the property above described, which is hereby reserved unto R. L. Henderson for himself, his heirs and assigns, forever, together with the right of ingress and egress to said property for the purpose of prospecting, drilling and mining for and/or removing said oil, gas and all other minerals from said property.

and which said reservation retains the described rights in the following described real property to-wit:

The Southwest Quarter of the Southwest Quarter (SW 1/4 of SW 1/4) less the right-of-way of railroad, all lying and being in Section 32, T7S, R19E.

**Application Package
Table of Contents**

1. Cover Letter
2. School Concurrency Form
3. Property Owner Affidavit
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5. Justification Report
6. Map Set

DATE: July 29, 2016

PROJECT NAME: Henderson property – Tower Road

PROJECT NO: 15-0500

DESCRIPTION FOR: Mixed Use Low/MU-1 Area

A PARCEL OF LAND LYING AND BEING IN LOT 4 OF SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, AS PER PLAT THEREOF AS RECORDED IN PLAT BOOK A, PAGE 10 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF SW 75TH STREET (TOWER ROAD) AND THE SOUTH LINE OF SAID LOT 4; THENCE NORTH $88^{\circ}58'50''$ EAST, ALONG SAID SOUTH LINE OF LOT 4, A DISTANCE OF 2365.94 FEET TO THE **POINT OF BEGINNING**; THENCE NORTH $01^{\circ}01'10''$ WEST, A DISTANCE OF 158.78 FEET; THENCE NORTH $90^{\circ}00'00''$ EAST, A DISTANCE OF 75.87 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 80.00 FEET, AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH $58^{\circ}16'04''$ EAST, 84.15 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $63^{\circ}27'52''$, AN ARC DISTANCE OF 88.61 FEET TO THE POINT OF TANGENCY; THENCE NORTH $26^{\circ}32'08''$ EAST, A DISTANCE OF 66.22 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH $71^{\circ}32'08''$ EAST, 35.36 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $90^{\circ}00'00''$, AN ARC LENGTH OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE SOUTH $63^{\circ}27'52''$ EAST, A DISTANCE OF 357.42 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SW 20TH AVENUE (RIGHT OF WAY WIDTH VARIES); THENCE SOUTH $25^{\circ}22'50''$ WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 116.53 FEET TO THE AFOREMENTIONED SOUTH LINE OF LOT 4 AND THE NORTHEAST CORNER OF TOWER OAKS RIDGE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK L, PAGE 18 OF SAID PUBLIC RECORDS; THENCE SOUTH $88^{\circ}58'50''$ WEST, ALONG THE SOUTH LINE OF LOT 4 AND THE NORTH LINE OF SAID TOWER OAKS RIDGE, A DISTANCE OF 477.63 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 2.226 ACRES MORE OR LESS.

DESCRIPTION

DATE: July 29, 2016

PROJECT NAME: Henderson property – Tower Road

PROJECT NO: 15-0500

DESCRIPTION FOR: Mixed Use Medium/MU-2 Area

A PARCEL OF LAND LYING AND BEING IN LOTS 3 & 4 IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, AS PER PLAT THEREOF AS RECORDED IN PLAT BOOK A, PAGE 10 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF SW 75TH STREET (TOWER ROAD) AND THE NORTH LINE OF SAID LOT 3 FOR THE **POINT OF BEGINNING**; THENCE NORTH 88°56'39"EAST, ALONG SAID NORTH LINE OF LOT 3, A DISTANCE OF 265.00 FEET; THENCE SOUTH 0°51'18"EAST, A DISTANCE OF 407.80 FEET TO THE CENTERLINE OF A 100 FOOT WIDE POWER LINE EASEMENT AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 106, PAGE 48 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE NORTH 89°22'57"EAST, ALONG SAID CENTERLINE, A DISTANCE OF 535.00 FEET; THENCE SOUTH 0°51'18"EAST, A DISTANCE OF 609.89 FEET; THENCE SOUTH 89°08'42"WEST, A DISTANCE OF 250.00 FEET; THENCE SOUTH 0°51'18"EAST, A DISTANCE OF 497.61 FEET TO THE SOUTH LINE OF AFOREMENTIONED LOT 4 IN SECTION 9; THENCE SOUTH 88°58'50"WEST, ALONG SAID SOUTH LINE OF LOT 4, A DISTANCE OF 550.00 FEET TO THE AFOREMENTIONED EAST RIGHT OF WAY LINE OF SW 75th STREET; THENCE NORTH 0°51'18"WEST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 1518.17 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 19.999 ACRES MORE OR LESS.

DATE: 29 July 2016

PROJECT NAME: Henderson property – Tower Road

PROJECT NO: 15-0500

DESCRIPTION FOR: Residential Low/RMF-5 Area

A PARCEL OF LAND LYING AND BEING IN LOTS 2, 3 & 4 IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, AS PER PLAT THEREOF AS RECORDED IN PLAT BOOK A, PAGE 10 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF SW 75TH STREET (TOWER ROAD) AND THE NORTH LINE OF SAID LOT 3; THENCE NORTH $88^{\circ}56'39''$ EAST, ALONG SAID NORTH LINE OF LOT 3, A DISTANCE OF 1688.61 FEET TO THE SOUTHEAST CORNER OF LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 831, PAGE 492 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE NORTH $0^{\circ}48'54''$ WEST, ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 323.56 FEET TO THE SOUTHWEST CORNER OF LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4225, PAGE 486 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE NORTH $89^{\circ}01'18''$ EAST, ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 493.90 FEET TO THE SOUTHEAST CORNER OF SAID LANDS AND THE **POINT OF BEGINNING**; THENCE SOUTH $0^{\circ}49'08''$ EAST, A DISTANCE OF 499.93 FEET; THENCE SOUTH $89^{\circ}30'21''$ WEST, A DISTANCE OF 24.94 FEET; THENCE SOUTH $0^{\circ}00'29''$ EAST, A DISTANCE OF 195.50 FEET; THENCE SOUTH $89^{\circ}30'21''$ WEST, A DISTANCE OF 60.00 FEET; THENCE SOUTH $0^{\circ}00'00''$ WEST, A DISTANCE OF 50.13 FEET TO THE CENTERLINE OF A 100 FOOT WIDE POWER LINE EASEMENT AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 106, PAGE 48 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE SOUTH $89^{\circ}22'57''$ WEST, ALONG SAID CENTERLINE, A DISTANCE OF 1293.85 FEET; THENCE SOUTH $0^{\circ}51'18''$ EAST, A DISTANCE OF 609.89 FEET; THENCE SOUTH $89^{\circ}08'42''$ WEST, A DISTANCE OF 250.00 FEET; THENCE SOUTH $0^{\circ}51'18''$ EAST, A DISTANCE OF 497.61 FEET TO THE SOUTH LINE OF AFOREMENTIONED LOT 4 IN SECTION 9; THENCE NORTH $88^{\circ}58'50''$ EAST, ALONG SAID SOUTH LINE OF LOT 4, A DISTANCE OF 1815.94 FEET; THENCE NORTH $01^{\circ}01'10''$ WEST, A DISTANCE OF 158.78 FEET; THENCE NORTH $90^{\circ}00'00''$ EAST, A DISTANCE OF 75.87 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 80.00 FEET, AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH $58^{\circ}16'04''$ EAST, 84.15 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $63^{\circ}27'52''$, AN ARC DISTANCE OF 88.61 FEET TO THE POINT OF TANGENCY; THENCE NORTH $26^{\circ}32'08''$ EAST, A DISTANCE OF 66.22 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH $71^{\circ}32'08''$ EAST, 35.36 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $90^{\circ}00'00''$, AN ARC LENGTH OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE SOUTH $63^{\circ}27'52''$ EAST, A DISTANCE OF 357.42 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SW 20TH AVENUE (RIGHT OF WAY WIDTH VARIES); THENCE NORTH $25^{\circ}22'50''$ EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 14.56 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1959.86 FEET, AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND

DISTANCE OF NORTH $34^{\circ}44'55''$ EAST, 636.83 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AND SAID WESTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF $18^{\circ}42'01''$, AN ARC DISTANCE OF 639.66 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE EAST 1980 FEET OF AFOREMENTIONED SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA; THENCE NORTH $00^{\circ}30'02''$ WEST, ALONG SAID WEST LINE OF THE EAST 1980 FEET, A DISTANCE OF 1646.10 FEET TO THE NORTH LINE OF AFOREMENTIONED LOT 2 IN SAID SECTION 9; THENCE SOUTH $88^{\circ}55'49''$ WEST, ALONG SAID NORTH LINE, A DISTANCE OF 1535.15 FEET TO AN INTERSECTION WITH THE BOUNDARY OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 4225, PAGE 486 OF SAID PUBLIC RECORDS; THENCE THE FOLLOWING THREE (3) COURSES ALONG THE BOUNDARY OF SAID LANDS; (1) THENCE SOUTH $00^{\circ}51'50''$ EAST, A DISTANCE OF 105.96 FEET; (2) THENCE NORTH $89^{\circ}02'47''$ EAST, A DISTANCE OF 435.62 FEET; (3) THENCE SOUTH $00^{\circ}49'08''$ EAST, A DISTANCE OF 329.92 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 90.575 ACRES MORE OR LESS.

DESCRIPTION

DATE: July 29, 2016

PROJECT NAME: Henderson property – Tower Road

PROJECT NO: 15-0500

DESCRIPTION FOR: Residential Medium/RMF-7 Area

A PARCEL OF LAND LYING AND BEING IN LOT 3 IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, AS PER PLAT THEREOF AS RECORDED IN PLAT BOOK A, PAGE 10 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF SW 75TH STREET (TOWER ROAD) AND THE NORTH LINE OF SAID LOT 3; THENCE NORTH 88°56'39"EAST, ALONG SAID NORTH LINE OF LOT 3, A DISTANCE OF 265.00 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE ALONG SAID NORTH LINE OF LOT 3, NORTH 88°56'39"EAST, A DISTANCE OF 1423.61 FEET TO THE SOUTHEAST CORNER OF LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 831, PAGE 492 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE NORTH 0°48'54"WEST, ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 323.56 FEET TO THE SOUTHWEST CORNER OF LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4225, PAGE 486 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE NORTH 89°01'18"EAST, ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 493.90 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE SOUTH 0°49'08"EAST, A DISTANCE OF 499.93 FEET; THENCE SOUTH 89°30'21"WEST, A DISTANCE OF 24.94 FEET; THENCE SOUTH 0°00'29"EAST, A DISTANCE OF 195.50 FEET; THENCE SOUTH 89°30'21"WEST, A DISTANCE OF 60.00 FEET; THENCE SOUTH 0°00'00"WEST, A DISTANCE OF 50.13 FEET TO THE CENTERLINE OF A 100 FOOT WIDE POWER LINE EASEMENT AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 106, PAGE 48 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE SOUTH 89°22'57"WEST, ALONG SAID CENTERLINE, A DISTANCE OF 1828.85 FEET; THENCE NORTH 0°51'18"WEST, A DISTANCE OF 407.80 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 21.719 ACRES MORE OR LESS.

DATE: July 29, 2016
PROJECT NAME: Henderson property – SW 20th Ave
PROJECT NO: 15-0500
DESCRIPTION FOR: Single Family/RSF-4 Area

A PARCEL OF LAND LYING AND BEING IN SECTIONS 9 & 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF PORTOFINO CLUSTER SUBDIVISION PHASE 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 25, PAGE 58 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID CORNER LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF SW 20TH AVENUE (R/W WIDTH VARIES) AND BEING ON A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1859.86 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 69°02'06" EAST, 601.31 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°36'21", AN ARC DISTANCE OF 603.96 FEET TO AN INTERSECTION WITH THE NORTHWEST CORNER OF AN ADDITIONAL RIGHT OF WAY TAKING AS DESCRIBED IN OFFICIAL RECORDS BOOK 4368, PAGE 1766 OF SAID PUBLIC RECORDS; THENCE THE FOLLOWING FIFTEEN (15) COURSES ALONG SAID ADDITIONAL RIGHT OF WAY TAKING; (1) SOUTH 11°39'44" EAST, 3.00 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1856.86 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 83°57'50" EAST, 364.07 FEET; (2) THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°15'07", AN ARC DISTANCE OF 364.66 FEET TO THE END OF SAID CURVE; (3) THENCE NORTH 89°34'53" EAST, A DISTANCE OF 54.93 FEET; (4) THENCE SOUTH 00°25'07" EAST, A DISTANCE OF 7.00 FEET; (5) THENCE NORTH 89°34'53" EAST, A DISTANCE OF 80.00 FEET; (6) THENCE SOUTH 00°25'07" EAST, A DISTANCE OF 4.00 FEET; (7) THENCE NORTH 89°34'53" EAST, A DISTANCE OF 180.00 FEET; (8) THENCE SOUTH 00°25'07" EAST, A DISTANCE OF 7.00 FEET; (9) THENCE NORTH 89°34'53" EAST, A DISTANCE OF 101.42 FEET; (10) THENCE NORTH 76°05'08" EAST, A DISTANCE OF 59.99 FEET; (11) THENCE NORTH 89°34'53" EAST, A DISTANCE OF 320.25 FEET; (12) THENCE SOUTH 00°25'07" EAST, A DISTANCE OF 12.00 FEET; (13) THENCE NORTH 89°34'53" EAST, A DISTANCE OF 50.00 FEET; (14) THENCE NORTH 00°25'07" WEST, A DISTANCE OF 12.86 FEET; (15) THENCE NORTH 84°24'41" EAST, A DISTANCE OF 68.14 FEET TO THE NORTHEAST CORNER OF SAID R/W TAKING AND THE SOUTHERLY RIGHT OF WAY LINE OF SW 20TH AVENUE; THENCE NORTH 89°34'53" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 101.93 FEET; THENCE SOUTH 00°25'07" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 25.00 FEET; THENCE NORTH 89°34'53" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 569.40 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE NO. 75 (300' WIDE RIGHT OF WAY), SAID POINT LYING ON A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 22768.32 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 35°59'35" EAST, 139.95 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 00°21'08", AN ARC DISTANCE OF 139.95 FEET TO THE END OF SAID CURVE AND TO AN INTERSECTION WITH THE NORTHERLY LINE OF LANDS DESCRIBED IN

OFFICIAL RECORDS BOOK 1997, PAGE 2460 OF SAID PUBLIC RECORDS; THENCE THE FOLLOWING SEVEN (7) COURSES ALONG SAID NORTHERLY BOUNDARY LINE; (1) THENCE SOUTH $89^{\circ}34'37''$ WEST, A DISTANCE OF 349.69 FEET; (2) THENCE SOUTH $00^{\circ}25'23''$ EAST, A DISTANCE OF 220.00 FEET; (3) THENCE SOUTH $59^{\circ}34'37''$ WEST, A DISTANCE OF 480.00 FEET; (4) THENCE SOUTH $89^{\circ}34'37''$ WEST, A DISTANCE OF 809.87 FEET; (5) THENCE NORTH $60^{\circ}24'48''$ WEST, A DISTANCE OF 431.27 FEET; (6) THENCE NORTH $00^{\circ}24'48''$ WEST, A DISTANCE OF 230.00 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1729.86 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH $69^{\circ}57'03''$ WEST, 613.83 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $20^{\circ}26'21''$, AN ARC DISTANCE OF 617.09 FEET TO THE NORTHEASTERLY LINE OF AFOREMENTIONED PORTOFINO CLUSTER SUBDIVISION PHASE 1; THENCE NORTH $30^{\circ}15'33''$ WEST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 130.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 22.196 ACRES MORE OR LESS.

**Application Package
Table of Contents**

1. Cover Letter
2. School Concurrency Form
3. Property Owner Affidavit
4. Legal Descriptions
- 5. Justification Report**
6. Map Set



Professional Consultants



JACKSONVILLE | GAINESVILLE | OCALA

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132 NW 76th Drive, Gainesville, Florida 32607

101 NE 1st Avenue, Ocala, Florida 34470

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Executive Summary

To: Mr. Ralph Hilliard, Planning Manager #15-0500
From: Craig Brashier, AICP, Planning Manager
Date: August 25, 2016
Re: Tower Road / SW 20th Avenue Annexation Site
 Rezoning Application

Jurisdiction: City of Gainesville	Intent of Development: Commercial/Retail, Single-family Residential, and Multi-family Residential
Description of Location: A portion of the property has frontage along both Tower Road and SW 20 th Avenue. A second portion of the site is located on the south side of SW 20 th Avenue, west of I-75.	
Parcel Numbers: 06675-001-000, 06675-003-000, 06676-000-000, 06677-000-000, 06680-004-000	Acres: ±156.73 ac.
Current Zoning Districts: <i>R-2A (8 – 14 units per acre): Alachua County</i> <ul style="list-style-type: none"> • ±134.53 acres <i>R-1A (1-4 units per acre): Alachua County</i> <ul style="list-style-type: none"> • ±22.2 acres 	
Proposed Zoning Districts: <i>MU-2 (12-30 units per acre): City of Gainesville</i> <ul style="list-style-type: none"> • ±20 acres <i>MU-1 (8-30 units per acre): City of Gainesville</i> <ul style="list-style-type: none"> • ±2.23 acres <i>RMF-7 (8-21 units per acre): City of Gainesville</i> <ul style="list-style-type: none"> • ±21.72 acres <i>RMF-5 (up to 12 units per acre): City of Gainesville</i> <ul style="list-style-type: none"> • ±90.58 acres <i>RSF-4 (up to 8 units per acre): City of Gainesville</i> <ul style="list-style-type: none"> • ±22.2 acres 	
Existing Maximum Density / Intensity* <i>Residential Medium-High Density (8 – 14 units per acre): Alachua County</i> <ul style="list-style-type: none"> • 14 units per acre x 134.52 acres = 1,883 units <i>Residential Low-Density (1-4 units per acre): Alachua County</i> <ul style="list-style-type: none"> • 4 units per acre x 22 acres = 88 units <p>*A project site on 25 or more acres or having more than 150 residential units would be required to develop as a TND or TOD under Alachua County regulations which would significantly increase the maximum number of residential units and require non-residential uses.</p>	
Proposed Density/Intensity <i>MU-2: City of Gainesville</i> <ul style="list-style-type: none"> • ±130,500 s.f. (estimated single-story non-residential development @ 0.15 F.A.R.) • 300 units (30 du per acre for 50% of acreage) <i>MU-1: City of Gainesville</i> <ul style="list-style-type: none"> • ±15,000 s.f. (estimated single-story non-residential development @ 0.15 F.A.R.) • 34 units (30 du per acre for 50% of acreage) <i>RMF-7 (8-21 units per acre): City of Gainesville</i> <ul style="list-style-type: none"> • 21 units per acre x 21.72 acres = 456 units <i>RMF-5 (up to 12 units per acre): City of Gainesville</i> <ul style="list-style-type: none"> • 12 units per acre x 90.58 acres = 1,087 units <i>RSF-4 (up to 8 units per acre): City of Gainesville</i> <ul style="list-style-type: none"> • 8 units per acre x 22.2 acres = 178 units 	
Net Change This LsCPA application will increase the maximum number of residential units by 84. This LsCPA could potentially increase non-residential uses by ±145,500 s.f.	

STATEMENT OF PROPOSED CHANGE

The intent of this Rezoning application is to apply City of Gainesville zoning districts to property that was recently annexed into the City. The proposed City of Gainesville zoning districts are intended to permit the same type of development that was permitted by the Alachua County zoning districts. The proposed zoning districts include MU-2, MU-1, RMF-7, RMF-5, and RSF-4.

The requested rezoning is companion to a LsCPA application that requests the Mixed-Use Medium-Intensity, Mixed-Use Low-Intensity, Residential Medium-Density, Residential-Low Density, and Single Family FLU designations. The proposed amendments are consistent with the existing FLU and zoning designations on surrounding properties. Figure 1 shows the site's location and identifies the nature of surrounding land uses.

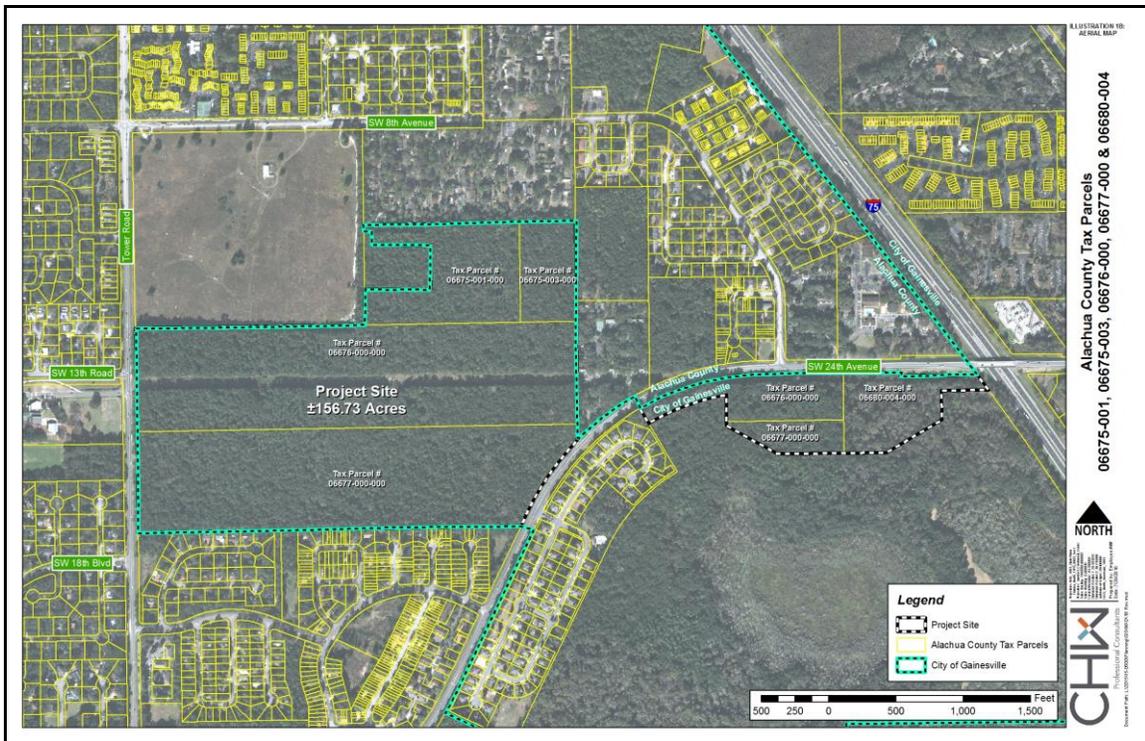


Figure 1: Aerial Map

As previously stated, the proposed zoning districts are consistent with the existing development pattern and consistent with the adjacent FLU and zoning districts. Surrounding FLU and zoning designations are summarized in *Table 1* and shown on Figures 2 through 5.

Table 1: Surrounding Future Land Use and Zoning Designations

Direction	Future Land Use Designation	Zoning Designation
North	UF Campus Master Plan Residential Medium-Density Residential High-Density	BP, RM, R-2A
East	Residential High-Density I-75 R.O.W.	R-2A I-75 R.O.W.
South	Residential Medium-Density Conservation	PD, CON
West	Single-Family Residential SW 75 th Street / Tower Road R.O.W.	RSF-1 SW 75 th Street / Tower Road R.O.W.

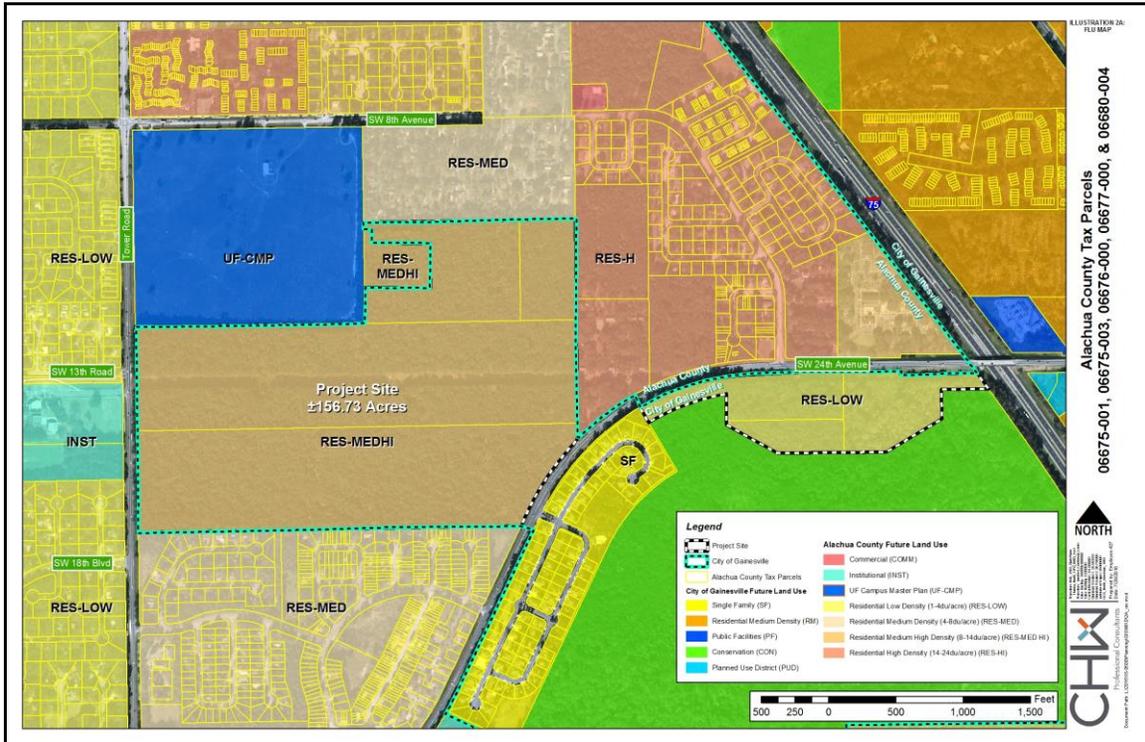


Figure 2: Existing Future Land Use Map



Figure 3: Proposed Future Land Use Map

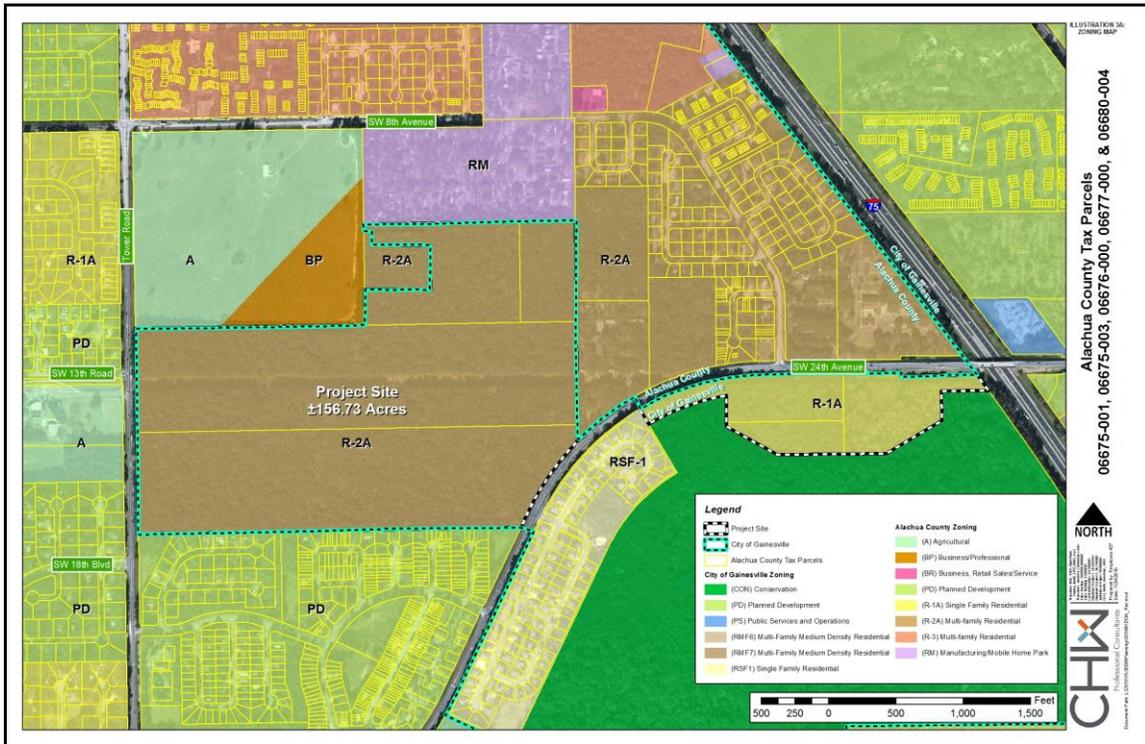


Figure 4: Existing Zoning Map

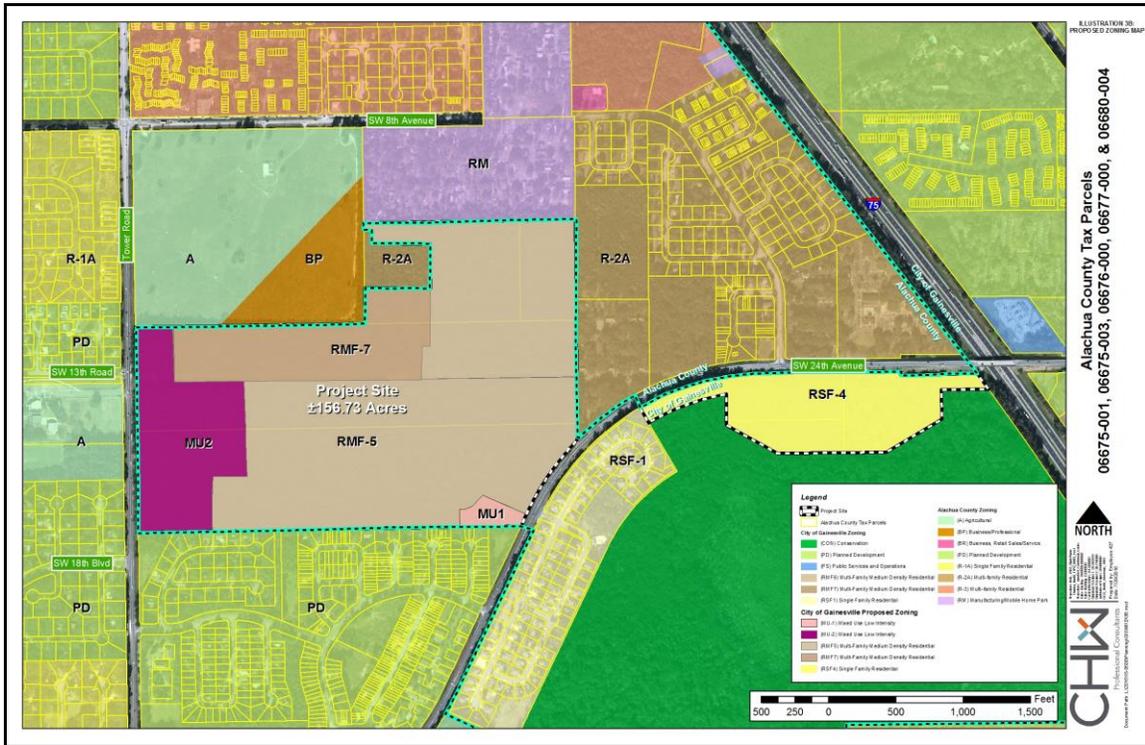


Figure 5: Proposed Zoning Map

The proposed zoning districts were specifically chosen to allow for similar types and amounts of development permitted by the Alachua County zoning districts that were in place prior to the annexation. When located in unincorporated Alachua County, the site was within the Urban Service Area. All developments within the Urban Service Area that are 25 acres or greater in size or have more than 150 residential units are required to be either a Traditional Neighborhood Development (TND) or a Transit Oriented Development (TOD). Therefore this project site would have been required to be a TND or TOD which would permit a significant increase in the maximum number of residential units permitted by the R-2A and R-1A zoning districts. TND / TOD developments are also required to include non-residential uses. Therefore, the mix of residential and mixed-use zoning districts will allow the same type of development that would have been possible on this site while in unincorporated Alachua County.

IMPACT ANALYSIS

IMPACT ON RESIDENTIAL STREETS

The proposed rezoning and subsequent development of the project site will not negatively impact surrounding neighborhood streets. The neighborhood streets to the south do not connect to this property and the existing development pattern will not allow for connections in the future. Access to this site will be via Tower Road and SW 20th Avenue.

IMPACT ON NOISE AND LIGHTING

Similar multi-family, single-family, and non-residential uses are located along the Tower Road and SW 20th Avenue corridors. Appropriate buffers will be provided to minimize impacts from non-residential uses near-by single-family uses and exterior lighting within the site will be in accordance with the City of Gainesville's Land Development Code requirements.

ENVIRONMENTAL FEATURES

The project is located in the City of Gainesville's urban, developed area. A portion of the site is located adjacent to the Split Rock Conservation Area. The lesser intense single-family residential zoning district has been proposed for this portion of the site adjacent to the conservation area. According to National Wetlands Inventory data, no known wetlands are located on this site. Areas of potential floodplain are located in the northern portion of the site and near the western boundary of the ±22.2 acres south of SW 20th Avenue.

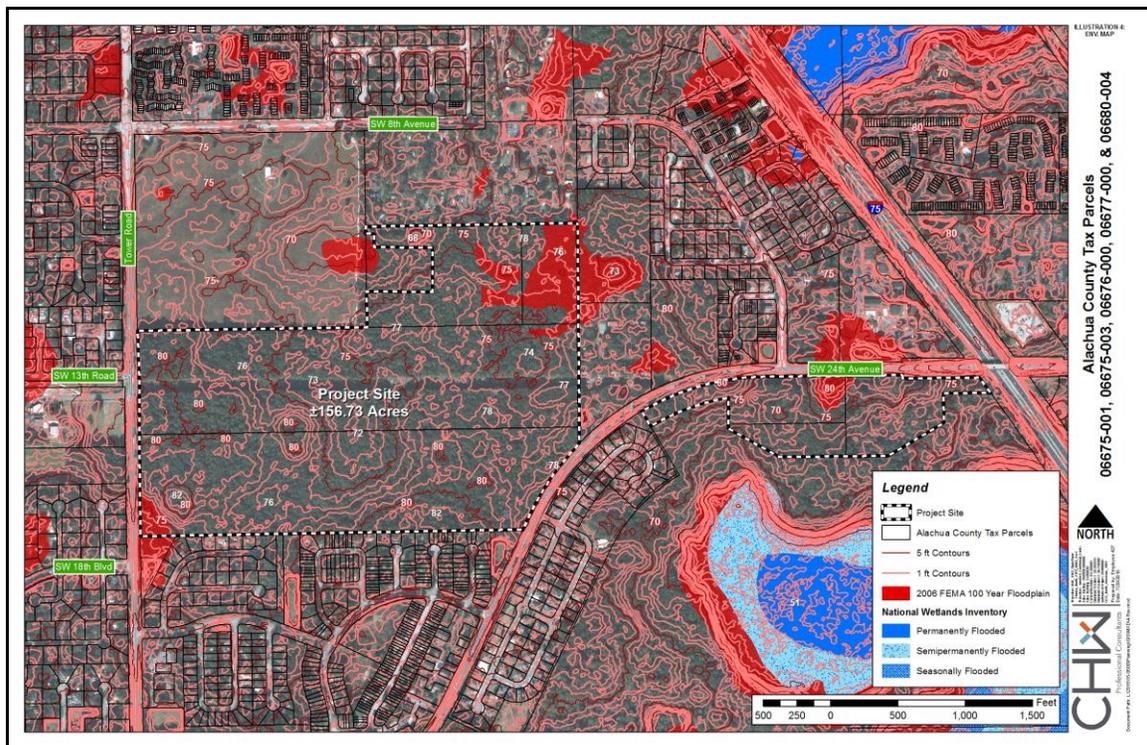


Figure 6. Environmental Features Map

According to the National Resources Conservation Service (NRCS), the on-site soil types are Arredondo Fine Sand, Candler Fine Sand, Kendrick Sand, Jonesville-Cadillac-Bonneau Complex, and Tavares Sand (*Figure 7*). All soil types are classified as Hydro Group A which is very favorable for urban development. These soil types are present throughout this area of Gainesville and are suitable for urban-type development, as indicated by the existing development on the same soil types.

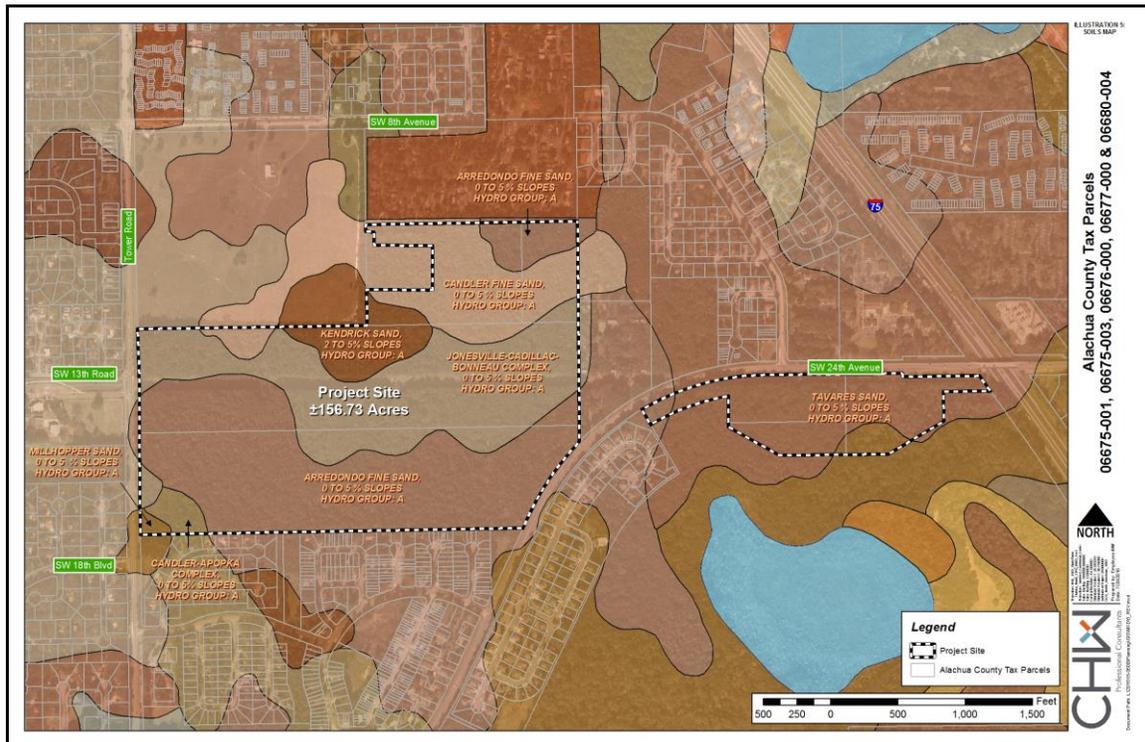


Figure 7: Natural Resources Conservation Service (NRCS) Soils Map

HISTORIC AND ARCHEOLOGICAL RESOURCES

According to the Florida Division of Historical Resources (DHR), no archeological resources are located on the property.

COMMUNITY CONTRIBUTIONS

The proposed rezoning is consistent with the City of Gainesville Comprehensive Plan and LDC. The site’s potential development will provide for urban infill along one of the City and County’s north-south arterial roadways with an existing mixed-use land development pattern. The site is also located on SW 20th Avenue which provides a link to the UMU-2 Urban Village area to the east. Urban infill reduces the pressure to develop along the urban area’s fringes and reduces the potential for urban sprawl.

As previously stated, the proposed LsCPA and Rezoning will allow for urban infill redevelopment in the City’s central, developed area. Redevelopment in the City’s core areas will also help to reduce traffic congestion due to the project’s central location, walkability of the area, and access to public transportation.

POTENTIAL LONG-TERM ECONOMIC BENEFITS

The potential urban infill development of a currently underutilized site will have positive, long-term impacts to the City's economy and tax base. The resulting urban infill redevelopment project will create construction jobs and increase the site's property taxes upon completion.

LEVEL OF SERVICE

The following tables summarize the potential net impacts from the proposed rezoning application. The current Alachua County zoning districts allow for multi-family densities up to 14 units per acre and single-family densities up to 4 units per acre. Per Alachua County's Comprehensive Plan and ULDC, projects within the urban service area that are 25 or more acres or have 150 or more residential units must develop as a TND or TOD. This would significantly increase the maximum number of residential units and require non-residential development as well. The calculations in this section do not take into consideration the TND / TOD requirements and uses only the existing Alachua County zoning densities to calculate the existing demands.

The potential net impacts from the proposed rezoning are not anticipated to cause public facilities to operate below the City's adopted LOS standards. Level of Service (LOS) standards were calculated based on the net density / intensity increases that may result from a mixed-use project.

Table 2: Potential Net Trip Generation

Category ¹	Units	AADT		A.M. Peak Hour		P.M. Peak Hour	
		Rate	Trips	Rate	Trips	Rate	Trips
Existing							
Single-Family Residential (ITE 210)	88	9.52	838	0.75	66	1.00	88
Apartment (ITE 220)	6,591 Persons ²	3.31	21,816	0.28	1,845	0.40	2,636
Proposed							
Single-Family Residential (ITE 210)	178	9.52	1,695	0.75	134	1.00	178
Apartment ² (ITE 220)	6,570 Persons ²	3.31	21,747	0.28	1,840	0.40	2,628
Shopping Center (ITE 820)	145.5	42.70	6,213	0.96	140	3.71	540
Total Net Trips		-	7,001	-	203	-	622

1. Source: ITE Trip Generation Manual, 9th Edition

2. Per City staff, an average of 3.5 bedrooms per unit is utilized for the trip generation estimates

Conclusion: The site will likely be located within the City's Transportation Mobility Program Area (TMPA) Zone D. Developments within TMPA Zone D are responsible for providing transportation improvements that are required due to

safety and/or operational conditions. Development within TMPB Zone D will be required to provide all or some of items a. – o. identified in the City's Comprehensive Plan, Transportation Mobility Element Policy 10.1.9.

- a. Roadway projects that will provide a more interconnected transportation network in the area and/or provide alternate routes to reduce congestion and pressure on arterials. All roadway projects shall include bicycle and pedestrian facilities. Projects may be located outside of Zone D if demonstrated to be a direct benefit to the transportation system in Zone D. Projects may include, but shall not be limited to, the following:
 1. extension of SW 40th Boulevard to connect from its terminus south of Archer Road to SW 47th Avenue; and
 2. extension of streets, deeding of land, or easements to create a more gridded network and provide connectivity.
- b. Deeding of land for right-of-way and/or construction of roadway extensions to City specifications. Prior to deeding land for right-of-way, the developer and the City must agree upon the fair market value of the land for the purposes of meeting this criterion. The developer may submit an appraisal to the City to establish fair market value, subject to review and approval by the City.
- c. Design and/or construction studies/plans for projects such as planned roundabouts, road connections, sidewalk systems, and/or bike trails.
- d. Provision of matching funds for transit or other transportation mobility-related grants.
- e. Provision of Park and Ride facilities, built to RTS needs and specifications.
- f. Construction of bicycle and/or pedestrian facilities/trails to City specifications. This may include provision of bicycle parking at bus shelters or Transit Hubs (as shown on the Existing Transit Hubs & Transit Supportive Areas Map) or deeding of land for the addition and construction of bicycle lanes or trails. Prior to deeding land for right-of-way, the developer and the City must agree upon the fair market value of the land for the purposes of meeting this criterion. The developer may submit an appraisal to the City to establish fair market value, subject to review and approval by the City.
- g. Construction of public sidewalks where they do not currently exist or completion of sidewalk connectivity projects. Sidewalk construction required to meet Land Development Code requirements along property frontages shall not count as meeting TMPA criteria.
- h. Payments to RTS that either increase service frequency or add additional transit service, including Express Transit service and/or Bus Rapid Transit, where appropriate.
- i. Funding for the construction of new or expanded transit facilities.
- j. Construction of bus shelters built to City specifications.
- k. Bus shelter lighting using solar technology designed and constructed to City specifications.
- l. Construction of bus turn-out facilities to City specifications.
- m. Construction of access to transit stops and/or construction of transit boarding and alighting areas.

- n. Business operations shown to have limited or no peak-hour roadway impact.
- o. An innovative transportation-mobility-related modification submitted by the developer, where acceptable to and approved by the City.

The proposed redevelopment allows residents and employees to have walking access to the Regional Transit System’s numerous bus routes. Urban infill along existing bus routes is consistent with the City’s and RTS’s long term plans and policies.

Table 3: Potential Net Potable Water Impact

Use	Units	Rate	Gallons Per Day
Existing			
Single-Family Residential	88	200 gal/person/day ¹ (2.2 persons per household)	38,720
Multifamily Residential	1,883	200 gal/person/day ¹ (2.2 persons per household)	828,520
Proposed			
Single-Family Residential	178	200 gal/person/day ¹ (2.2 persons per household)	78,320
Multifamily Residential	1,877	200 gal/person/day ¹ (2.2 persons per household)	825,880
Commercial / Retail	145,500 sq. ft.	0.15 gal/sq. ft. ²	21,825
Total Net Impact			58,785

1. Source: City of Gainesville Comprehensive Plan, Potable Water & Wastewater Element
 2. Source: Ch. 64E-6.008, F.A.C.

Conclusion: As shown in Figure 8, the project site will be served by existing Gainesville Regional Utilities potable water infrastructure. The potential net impacts from this proposed rezoning will not negatively impact the adopted Level of Service (LOS).

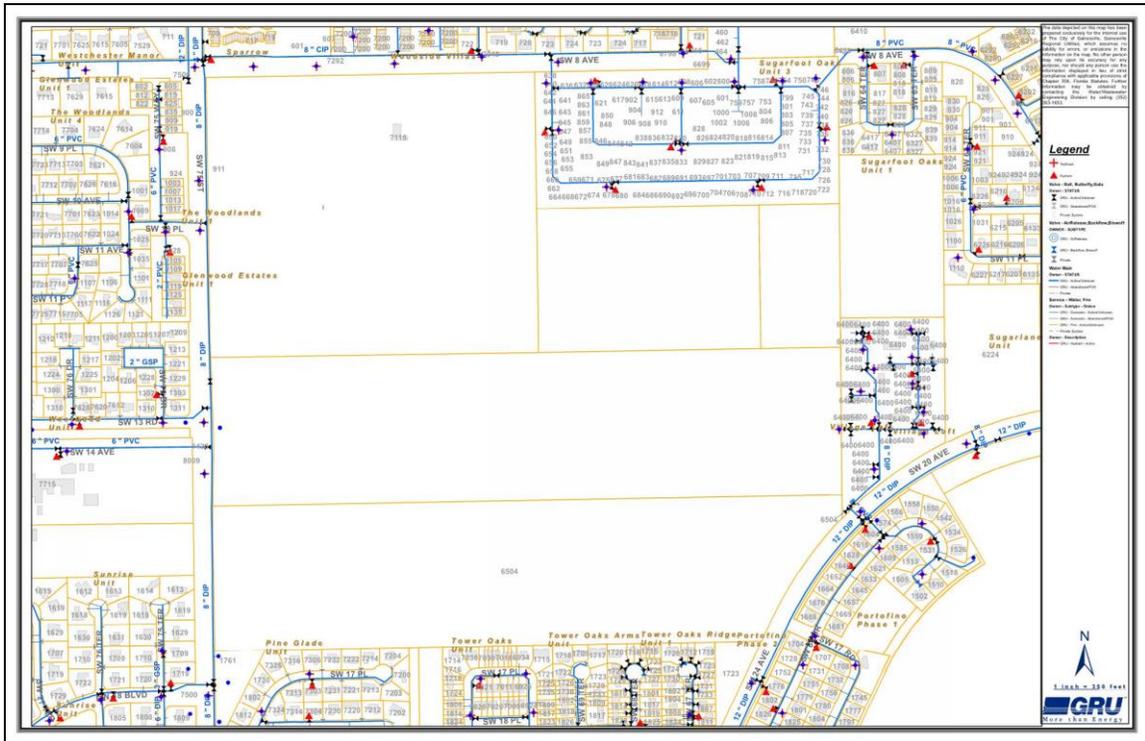


Figure 8: GRU Potable Water Infrastructure

Table 4: Potential Net Wastewater Impact

Use	Units	Rate	Gallons Per Day
Existing			
Single-Family Residential	88	147 gal/person/day ¹ (2.2 persons per household)	28,459
Mult-Family Residential	1,883	147 gal/person/day ¹ (2.2 persons per household)	608,962
Proposed			
Single-Family Residential	178	147 gal/person/day ¹ (2.2 persons per household)	57,565
Mult-Family Residential	1,877	147 gal/person/day ¹ (2.2 persons per household)	607,021
Commercial / Retail	145,500 sq. ft.	0.15 gal/sq. ft. ²	21,825
Total Net Impact			48,990

1. Source: City of Gainesville Comprehensive Plan, Potable Water & Wastewater Element

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

Conclusion: As shown in Figure 9, the project site will be served by existing Gainesville Regional Utilities wastewater infrastructure. The potential net impacts from this proposed rezoning will not negatively impact the adopted Level of Service (LOS).

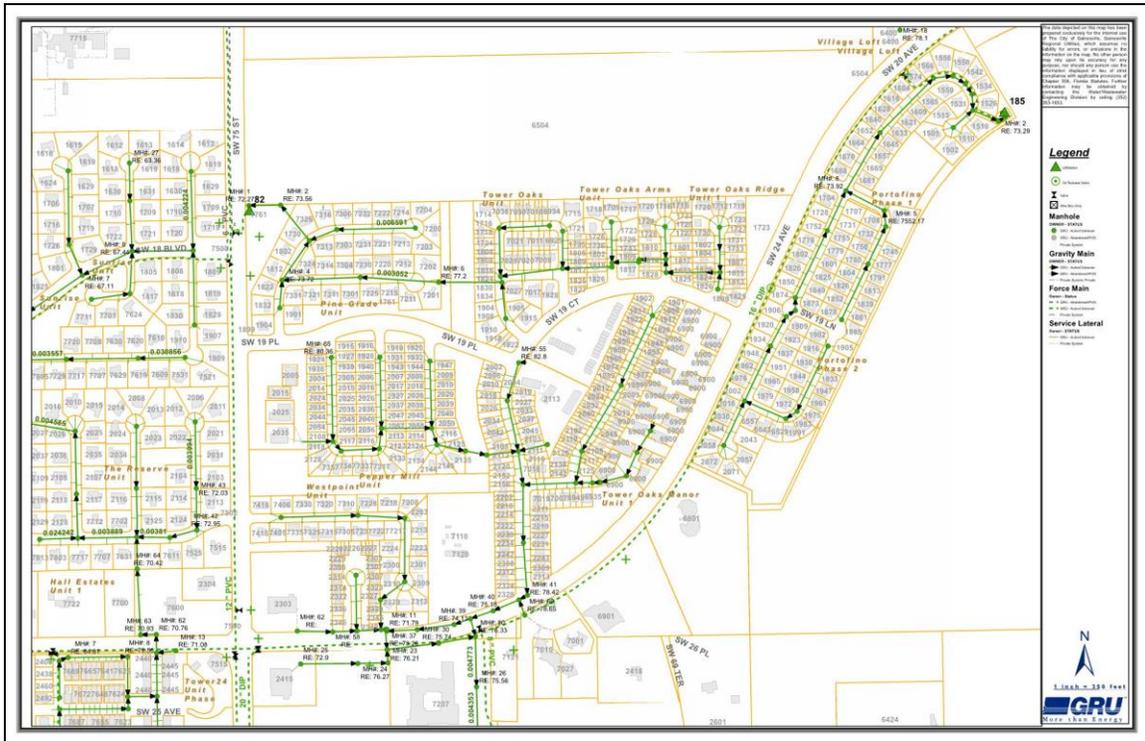


Figure 9: GRU Wastewater Infrastructure

Table 5: Potential Solid Waste Impact

Use	Units	Rate	Tons Per Year
Existing			
Single-Family Residential	88	0.655 tons/person/year ¹ (2.2 persons per household)	127.8
Multifamily Residential	1,883	0.655 tons/person/year ¹ (2.2 persons per household)	2,713.4
Proposed			
Single-Family Residential	178	0.655 tons/person/year ¹ (2.2 persons per household)	256.5
Multi-Family Residential	1,877	0.655 tons/person/year ¹ (2.2 persons per household)	2,704.8
Commercial / Retail	145,500 sq. ft.	((12 lbs. / 1000 sq. ft. per day x 145,500 s.f.) x 365)/2,000 ²	318.7
Alachua County Solid Waste Facility Capacity³			>10 years

1. Source: City of Gainesville Comprehensive Plan, Solid Waste Element

2. Source: Sincero and Sincero: *Environmental Engineering: A Design Approach*, Prentice Hall, NJ, 1996

3. Source: Alachua County Comprehensive Plan

Conclusion: As calculated in Table 5, solid waste facility capacity exists to adequately serve the proposed amendment. This application will not negatively impact the adopted LOS.

Potential Net Public School Student Generation

Conclusion: A School Concurrency form has been submitted as part of this application package. The potential net public school student generation on the form are based on the net difference between the maximum number of units allowed by the existing Alachua County R-2A and R-1A zoning districts and the proposed City of

Gainesville MU-1, MU-2, RMF-7, RMF-5, and RSF-4 zoning districts. The urban infill redevelopment project resulting from this amendment is intended to be a mixed use development with single-family and multi-family residential use as well as non-residential uses. School concurrency will again be calculated at the time of development plan approval.

CONSISTENCY WITH CITY OF GAINESVILLE COMPREHENSIVE PLAN

The proposed rezoning site currently has Alachua County zoning districts. The requested FLU classification change will apply City of Gainesville FLU designations to the site. The proposed zoning districts include MU-2, MU-1, RMF-7, RMF-5, and RSF-4.

These designations permit a mixture of residential and nonresidential uses designed to promote both pedestrian and transit use in the City of Gainesville's developed, urban area. The proposed rezoning is consistent with the following Comprehensive Plan goals, objectives, and policies:

FUTURE LAND USE ELEMENT

GOAL 1 IMPROVE THE QUALITY OF LIFE AND ACHIEVE A SUPERIOR, SUSTAINABLE DEVELOPMENT PATTERN IN THE CITY BY CREATING AND MAINTAINING CHOICES IN HOUSING, OFFICES, RETAIL, AND WORKPLACES, AND ENSURING THAT A PERCENTAGE OF LAND USES ARE MIXED, AND WITHIN WALKING DISTANCE OF IMPORTANT DESTINATIONS.

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

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

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

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

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

Objective 1.5 Discourage the proliferation of urban sprawl.

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

Support for urban infill and/or redevelopment.

TRANSPORTATION MOBILITY ELEMENT

Transportation Mobility Element *Overall Goal*

Establish a transportation system that enhances compact development, redevelopment, quality of life, that is sensitive to the cultural and environmental amenities of Gainesville, and implements the vision of the “Year 2020 Livable Community Reinvestment Plan” (Gainesville 2020 Transportation Plan) within the City of Gainesville. The transportation system shall provide equal attention to pedestrian, bicycle, auto, and public transit needs. The system should provide vehicular, public transit and non-motorized access to activity centers, community facilities, and neighborhood commercial areas. Safety and efficiency shall be enhanced by limitations and care in the locations of driveways, provision of sidewalk connections within developments and an overall effort to enhance pedestrian mobility throughout the community by improvement and provision of safe crossings, complete sidewalk and trail systems and sidewalks of adequate widths to encourage pedestrian activity. Basic transportation should be provided for transportation-disadvantaged residents to employment, education facilities, and basic services.

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

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

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

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

CONSISTENCY WITH THE CITY OF GAINESVILLE LAND DEVELOPMENT CODE

The proposed rezoning site is currently designated R-2A and R-1A under the Alachua County ULDC. This rezoning application will apply City of Gainesville zoning districts to the site which was recently annexed into the City. The proposed zoning districts permit a mixture of residential and nonresidential uses designed to promote both pedestrian and transit use in the City of Gainesville's developed, urban area. The proposed urban infill development is consistent with the Purpose and Objectives of the proposed zoning districts.

ARTICLE IV. - USE REGULATIONS

DIVISION 4. - BUSINESS AND MIXED USE ZONING DISTRICTS

Sec. 30-51 – Single-family Residential Districts (RSF-1, RSF-2, RSF-3, & RSF-4)

- a) *Purpose.* The single-family districts are established for the purpose of providing areas for low density single-family residential development with full urban services at locations convenient to urban facilities, neighborhood convenience centers, neighborhood shopping centers and activity centers. These districts are characterized by single-family residential structures designed and located so as to protect the character of single-family residential neighborhoods.
- b) *Objectives.* The provisions of these districts are designed to:
 - 1) Protect and stabilize the essential characteristics of such existing development;
 - 2) Encourage such future development to occur on vacant land where the natural characteristics of such land are suitable for this type of development;
 - 3) Enable single-family development to occur at appropriate locations and with sufficient density so as to facilitate the provision of urban services and facilities in an economical and efficient manner;
 - 4) Encourage low density development where higher density development would be detrimental to the health, safety and welfare of the community by reason of environmental constraints, open space or other factors; and
 - 5) Discourage any activities not compatible with such residential development.

Sec. 30-52 – Residential Low Density Districts (RMF-5, RC, and MH)

- a) *Purpose.* The residential low density districts are established to provide suitable areas for low density residential development with various dwelling unit types compatible with single-family dwellings. These districts are designed and located so as to provide a desirable residential environment and transition between differing intensities of land use. Specifically, the RC district is established to provide suitable zoning protection to those areas where single-family development has occurred on properties with minimum lot sizes and where such development patterns are desirable to maintain due to unique neighborhood, social

and physical characteristics which are present. The MH district is established to provide for mobile home neighborhoods of sufficient size to sustain a stable and sound micro-environment with individual lots of dimensions necessary to provide safe and healthful residential living.

- b) *Objectives.* The provisions of these districts are designed to:
- 1) Encourage such development to locate near neighborhood convenience centers and neighborhood shopping centers;
 - 2) Create transition areas between low intensity land uses and other more intense land uses;
 - 3) Provide for a variety of dwelling unit types compatible with traditional single-family residential development;
 - 4) Provide for low density residential development in areas where such development could be logically integrated with or located near traditional single-family residential development or in transitional areas on land where the clustering of units would permit the most effective use of such land, while preserving open space and other natural features;
 - 5) Encourage privacy, internal stability, attractiveness, order and efficiency in these areas by providing for adequate light, air and usable open space for residential purposes through the careful design and consideration of the proper functional relationships among uses permitted; and
 - 6) Provide for such residential development to occur where public facilities and services are present.

Sec. 30-53 – Multiple-Family Medium-Density Residential Districts (RMF-6, RMF-7, and RMF-8)

- a) *Purpose.* The multiple-family residential districts are established to provide for the efficient use of land for multifamily residential developments. These districts are designed to encourage the establishment and maintenance of a suitable residential environment for medium density housing. Due to the existing residential environment and the goals and objectives as outlined by the comprehensive plan, particular development criteria must be instituted in order to harmonize the existing patterns of growth with the needs of the community.
- b) *Objectives.* The provisions of these districts are intended to:
- 1) Provide for the development of such projects with population densities and development patterns generally compatible with medium density residential areas or in transitional areas on land where the clustering of units would permit the most effective utilization of such land, while preserving open space and other natural features;
 - 2) Encourage such development projects to locate near activity centers;
 - 3) Discourage undue traffic congestion on minor streets by directing such new development to abut upon or have relatively close access to major transportation arteries;
 - 4) Encourage privacy, internal stability, attractiveness, order and efficiency in these areas by providing for adequate light, air and

usable open space for dwellings and related facilities through the careful design and consideration of the proper functional relationships among uses permitted; and

- 5) Encourage such residential development to occur where sufficient public facilities and services exist or are within plans for improvement.

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

- a) *Purpose.* The mixed-use low intensity district is established for the purpose of allowing coordinated developments designed to offer a mixture of residential, convenience-type retail, professional and consumer service uses primarily for residents of mixed-use and adjacent residential neighborhoods, and places of religious assembly. The district is intended to reduce the length and number of vehicular trips by providing for basic needs within close proximity to residential areas, by encouraging pedestrian access, and by the combining of trips. This district is established to allow uses compatible with each other and with surrounding residential areas to be developed near each other. The MU-1 district may be located in areas where analysis of residential characteristics demonstrates that such facilities are required. This district is intended to encourage the development of planned and unified neighborhood shopping centers in a relationship harmonious with adjoining residential activities. It is also intended to accommodate traditional neighborhoods that include nonresidential uses and neighborhood centers.
- b) *Objectives.* The provisions of this district are intended to:
 - 1) Permit compatible commercial, office, service and residential developments that benefit from being located near each other.
 - 2) Provide an adequate mix of residential uses including multifamily, townhouse, zero lot line, and detached single-family at urban densities.
 - 3) Provide opportunities for the development of compound residential uses.
 - 4) Minimize traffic congestion by:
 - a. Requiring that shopping center and/or mixed-use developments be located on appropriate major collector and arterial roadways, as defined in the comprehensive plan;
 - b. Minimizing the number and regulating the location of driveway connections; and
 - 5) Encouraging pedestrian and non-automotive access.
 - 6) Ensure, through development plan approval, that nonresidential and mixed-use developments are designed to promote the most efficient use of the land, and that they coordinate the internal activities of the site as well as establish a harmonious relationship between such developments and their environment.
 - 7) Require buffering or screening around nonresidential and/or mixed-use development in accordance with the land development

- code when the development abuts any property zoned for residential use or shown as residential on the future land use map.
- 8) Accommodate neighborhood-level services and retail uses along existing business corridors.
 - 9) Coordinate the location and size of mixed-use developments commensurate with the character and density of the areas to be served.
 - 10) Allow the market some flexibility in determining locations of new nonresidential development, and the ability to expand such areas in relation to the population densities achieved.
 - 11) Encourage nonresidential and/or mixed-use developments to locate on land that is physically capable of supporting the particular type of development.

Sec. 30-65 – Mixed-Use Medium-Intensity District (MU-2)

- a) *Purpose.* The mixed-use medium intensity district is established for the purpose of providing a mix of employment, retail, professional, service and residential uses in medium level activity centers. The district is intended to encourage a reduction in the number and length of vehicular trips by providing for basic needs and employment opportunities within close proximity to residential areas. Such districts are established to allow uses compatible with each other and with surrounding residential areas to be clustered in a compact urban center. The mixed-use medium intensity district shall be located in areas where analysis of residential characteristics demonstrates that such facilities are required, and where there is limited overlapping of market areas with other mixed-use medium intensity districts.
- b) *Objectives.* The provisions of this district are intended to:
 - 1) Coordinate the locations of activity centers with the population and land use needs of adjoining residential areas. It is intended that activity centers have only minimally overlapping market areas;
 - 2) Encourage large, mixed-use developments to locate on land that is physically capable of supporting the proposed development;
 - 3) Ensure that new development within the district is integrated with existing development and is designed to promote pedestrian and nonautomotive access within the district and from surrounding residential areas;
 - 4) Minimize traffic congestion by requiring that large, mixed-use developments be located on appropriate major collector and arterial roadways, and by minimizing the number and location of driveway connections;
 - 5) Encourage proper design review through the utilization of the development plan review process to ensure a harmonious relationship with surrounding development (including adequate ingress and egress);
 - 6) Integrate all outparcel development through landscaping; shared parking, traffic access management and circulation; and stormwater management; and

- 7) Require appropriate buffering or screening around large mixed-use development to maintain its compatibility with surrounding land uses.

ARTICLE X. - ADMINISTRATION
DIVISION 1. - HEARINGS

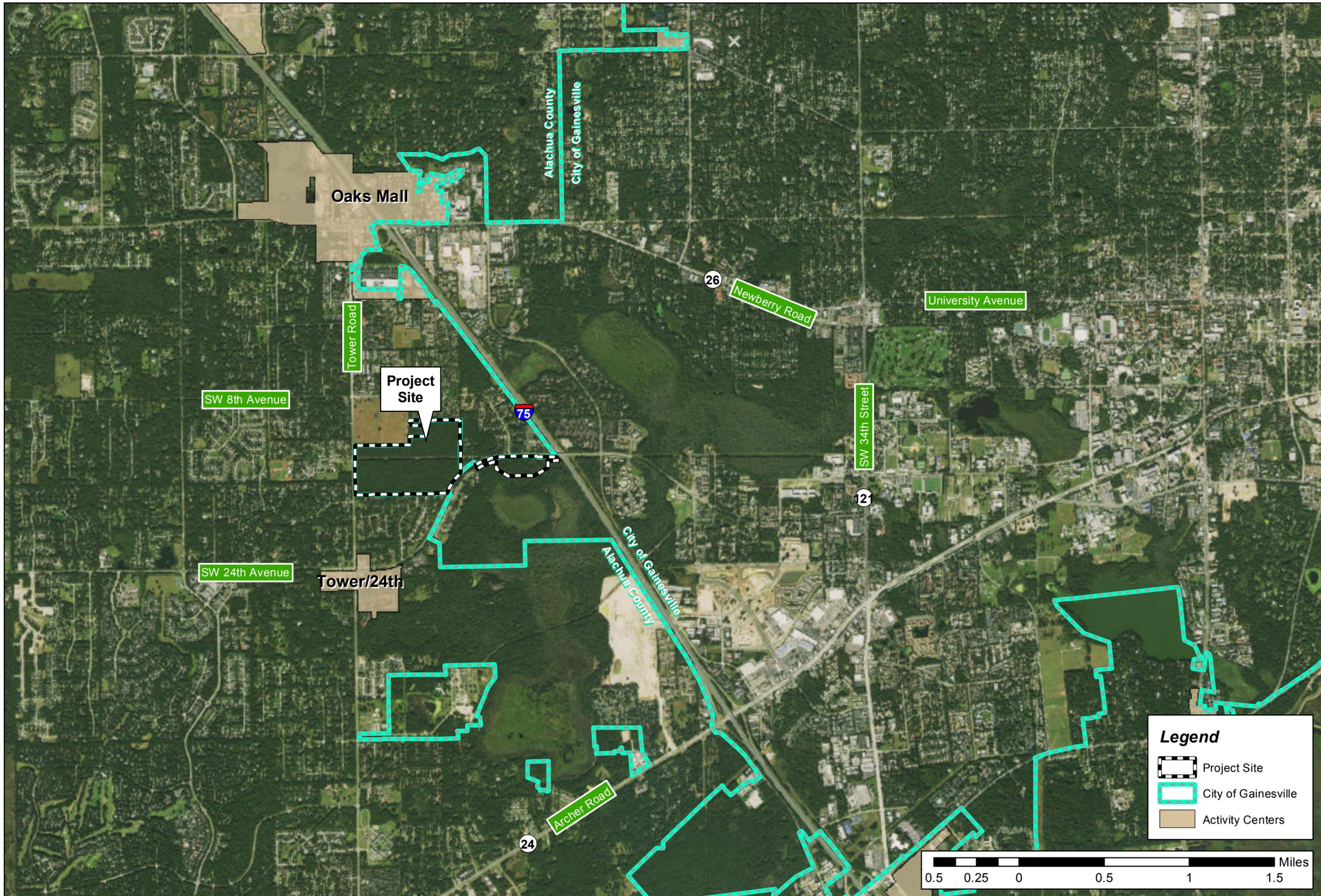
Sec. 30-350 – Citizen Participation

A neighborhood workshop was not required because this rezoning application is intended to apply City of Gainesville zoning districts to property that was recently annexed into the City.

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**Application Package
Table of Contents**

1. Cover Letter
2. School Concurrency Form
3. Property Owner Affidavit
4. Legal Descriptions
5. Justification Report
6. **Map Set**



SW 8th Avenue

Tower Road

Project Site

SW 24th Avenue

Tower/24th

Archer Road

Alachua County
City of Gainesville

26

Newberry Road

University Avenue

SW 34th Street

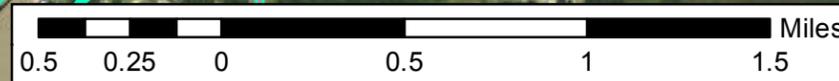
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City of Gainesville
Alachua County

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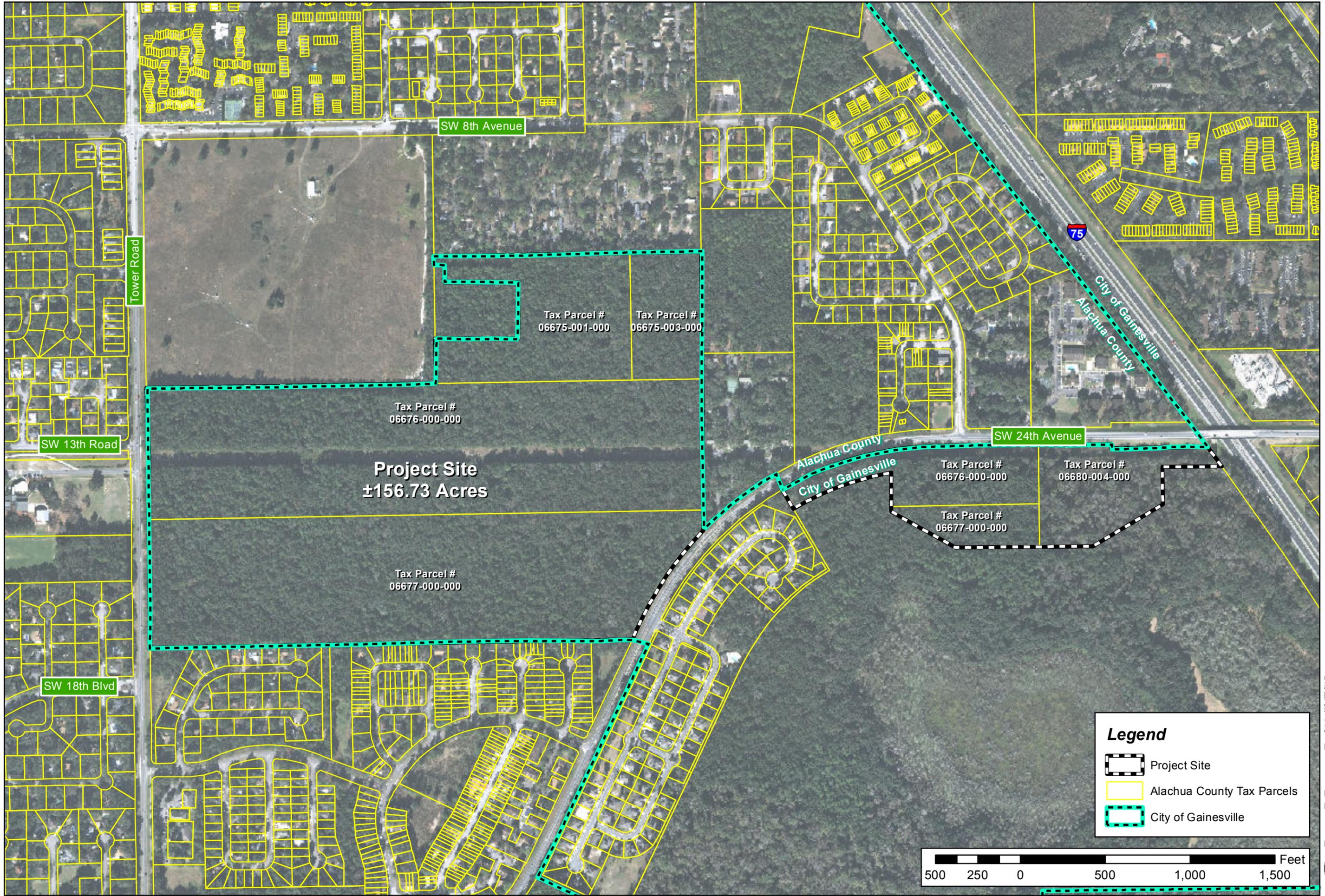
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-  Activity Centers



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 Prepared by: Employee ##
 Date: 7/29/2016





SW 8th Avenue

Tower Road

SW 13th Road

SW 18th Blvd

Tax Parcel #
06675-001-000

Tax Parcel #
06675-003-000

Tax Parcel #
06676-000-000

Project Site
±156.73 Acres

Tax Parcel #
06677-000-000

Tax Parcel #
06676-000-000

Tax Parcel #
06680-004-000

Tax Parcel #
06677-000-000

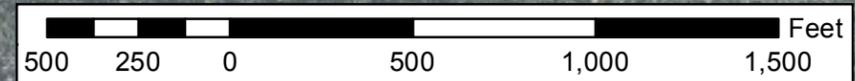
SW 24th Avenue

75

City of Gainesville
Alachua County

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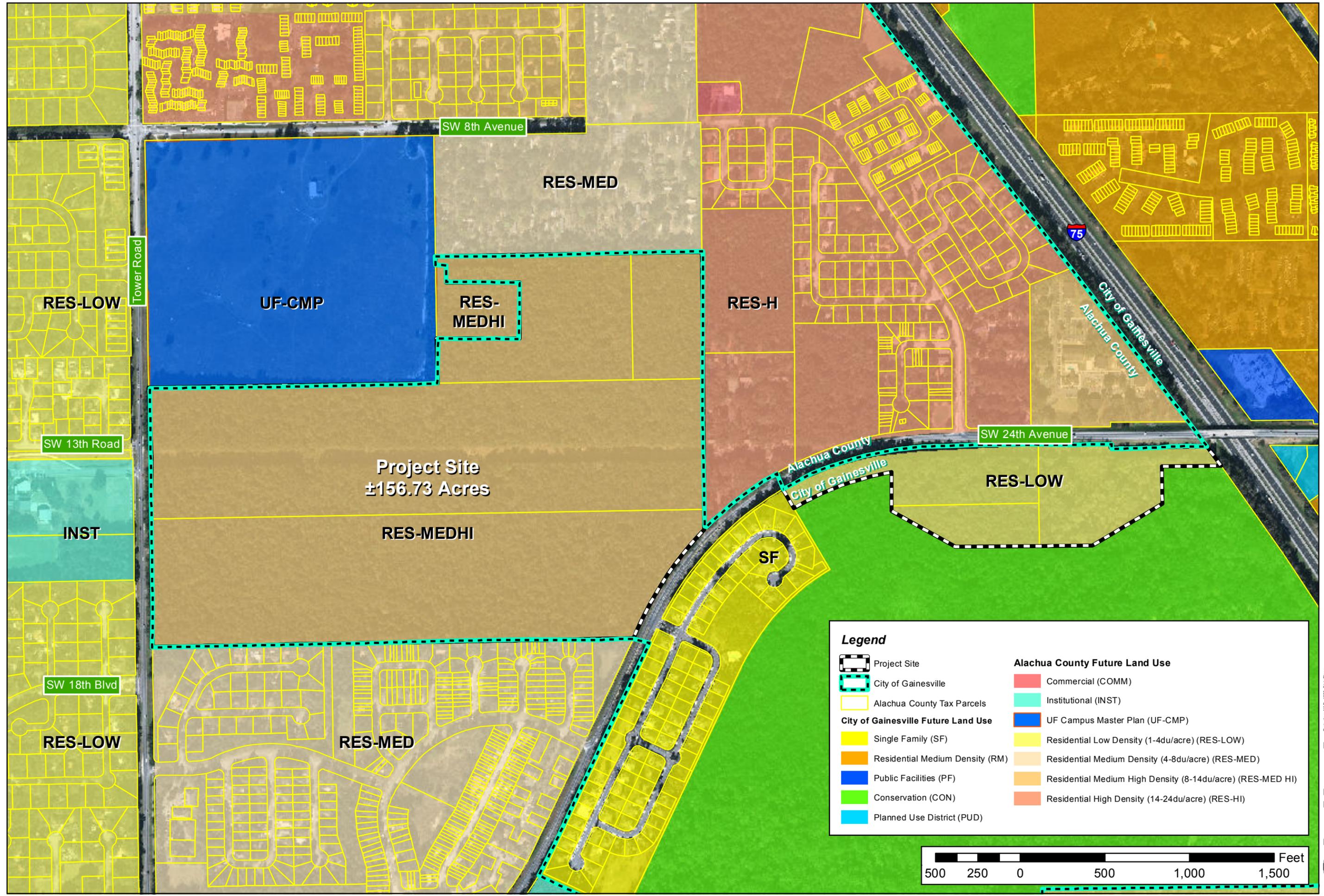
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-  Alachua County Tax Parcels
-  City of Gainesville



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 Date: 7/29/2016



Alachua County Tax Parcels
06675-001, 06675-003, 06676-000, 06677-000 & 06680-004



Project Site
±156.73 Acres

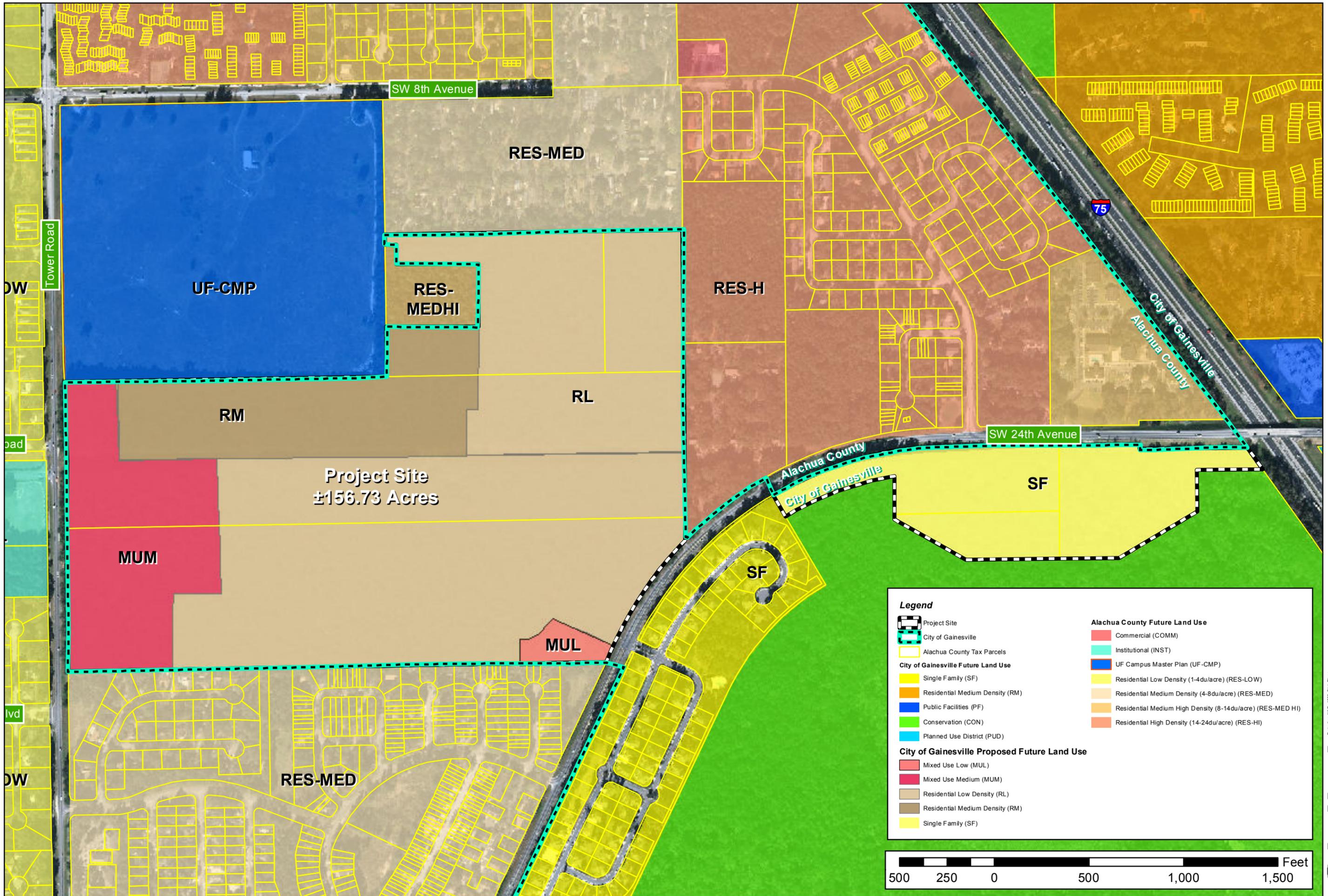
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Project Site	Commercial (COMM)
City of Gainesville	Institutional (INST)
Alachua County Tax Parcels	UF Campus Master Plan (UF-CMP)
City of Gainesville Future Land Use	
Single Family (SF)	Residential Low Density (1-4du/acre) (RES-LOW)
Residential Medium Density (RM)	Residential Medium Density (4-8du/acre) (RES-MED)
Public Facilities (PF)	Residential Medium High Density (8-14du/acre) (RES-MED HI)
Conservation (CON)	Residential High Density (14-24du/acre) (RES-HI)
Planned Use District (PUD)	



Alachua County Tax Parcels
06675-001, 06675-003, 06676-000, 06677-000, & 06680-004





Alachua County Tax Parcels
06675-001, 06675-003, 06676-000, 06677-000, & 06680-004

Legend

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

City of Gainesville Future Land Use

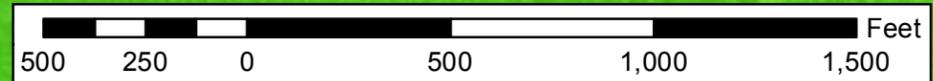
- Single Family (SF)
- Residential Medium Density (RM)
- Public Facilities (PF)
- Conservation (CON)
- Planned Use District (PUD)

City of Gainesville Proposed Future Land Use

- Mixed Use Low (MUL)
- Mixed Use Medium (MUM)
- Residential Low Density (RL)
- Residential Medium Density (RM)
- Single Family (SF)

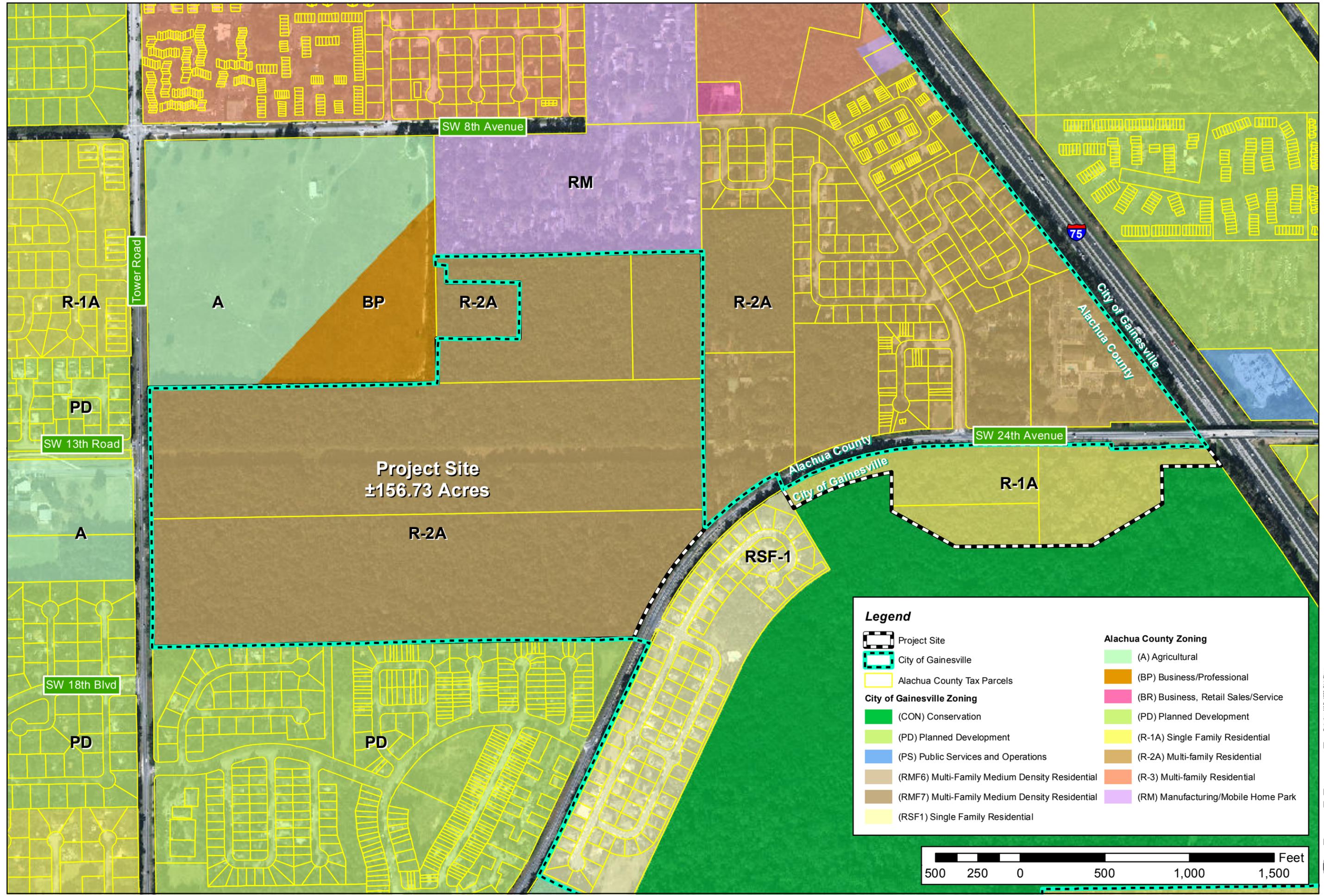
Alachua County Future Land Use

- Commercial (COMM)
- Institutional (INST)
- UF Campus Master Plan (UF-CMP)
- Residential Low Density (1-4du/acre) (RES-LOW)
- Residential Medium Density (4-8du/acre) (RES-MED)
- Residential Medium High Density (8-14du/acre) (RES-MED HI)
- Residential High Density (14-24du/acre) (RES-HI)



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 Prepared by: Employee 427





Project Site
±156.73 Acres

Legend

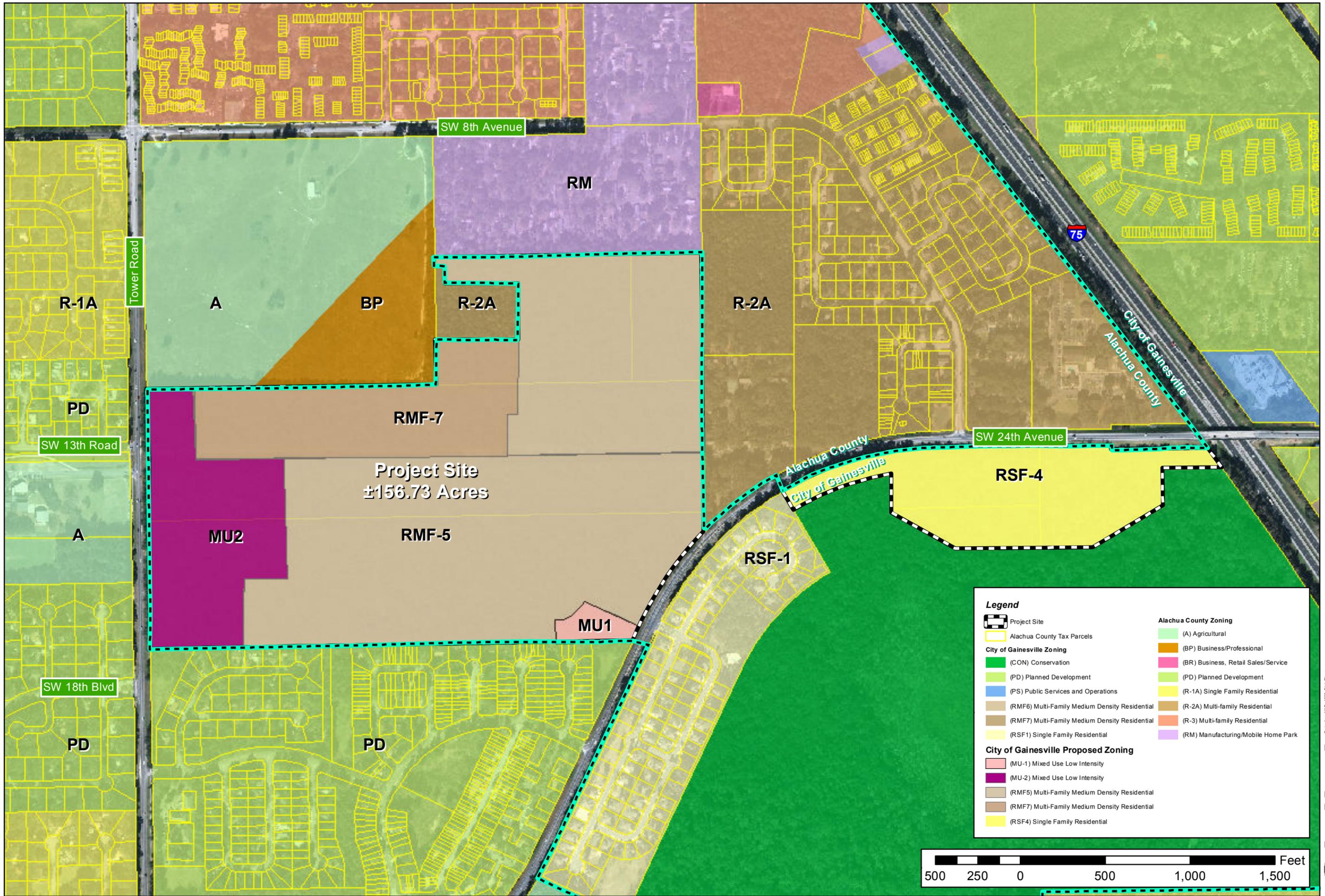
Project Site	(A) Agricultural
City of Gainesville	(BP) Business/Professional
Alachua County Tax Parcels	(BR) Business, Retail Sales/Service
City of Gainesville Zoning	
(CON) Conservation	(PD) Planned Development
(PD) Planned Development	(R-1A) Single Family Residential
(PS) Public Services and Operations	(R-2A) Multi-family Residential
(RMF6) Multi-Family Medium Density Residential	(R-3) Multi-family Residential
(RMF7) Multi-Family Medium Density Residential	(RM) Manufacturing/Mobile Home Park
(RSF1) Single Family Residential	



Alachua County Tax Parcels
06675-001, 06675-003, 06676-000, 06677-000, & 06680-004

NORTH

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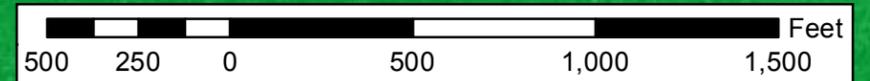
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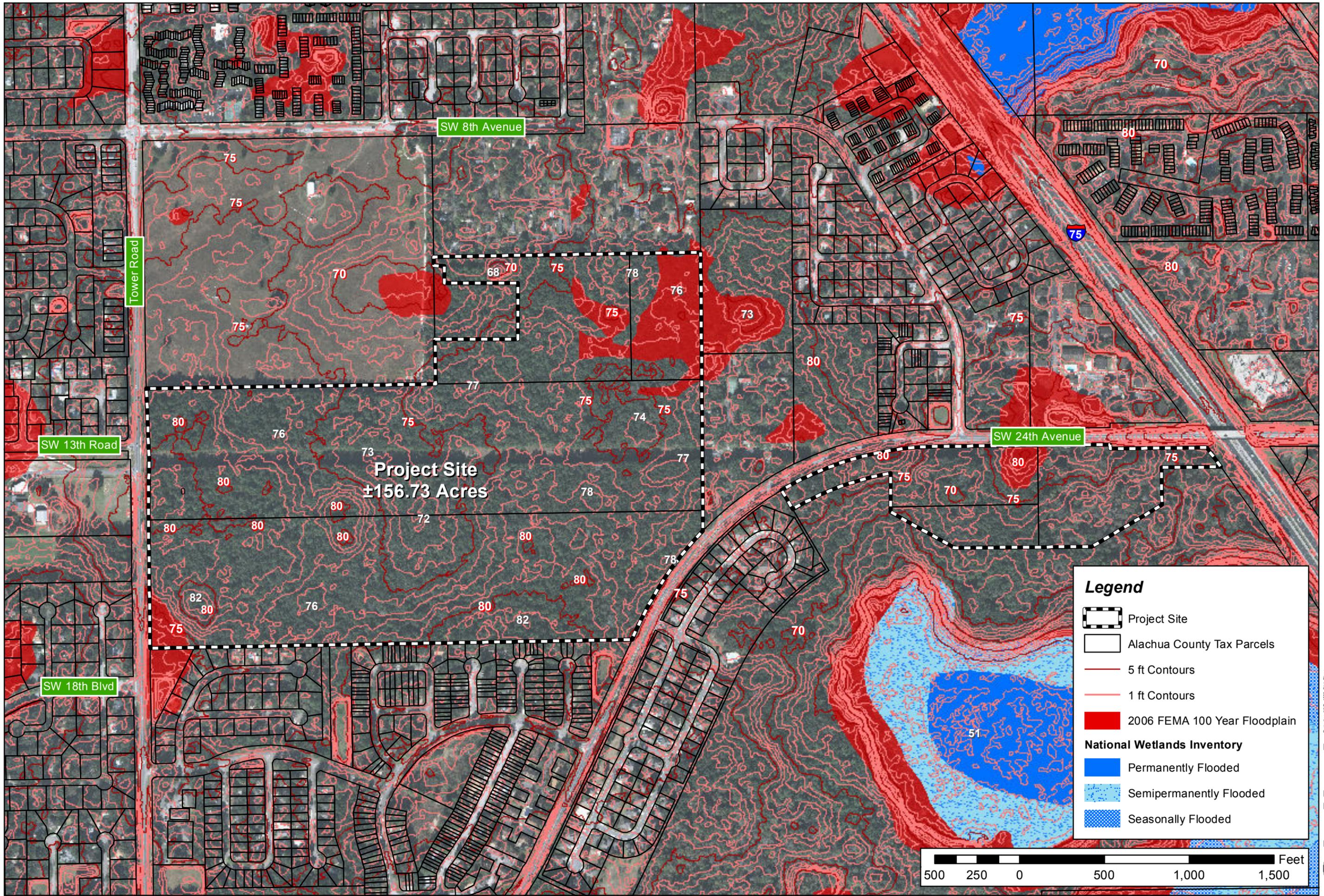


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Legend

Project Site	Alachua County Zoning
Alachua County Tax Parcels	(A) Agricultural
City of Gainesville Zoning	(BP) Business/Professional
(CON) Conservation	(BR) Business, Retail Sales/Service
(PD) Planned Development	(PD) Planned Development
(PS) Public Services and Operations	(R-1A) Single Family Residential
(RMF6) Multi-Family Medium Density Residential	(R-2A) Multi-family Residential
(RMF7) Multi-Family Medium Density Residential	(R-3) Multi-family Residential
(RSF1) Single Family Residential	(RM) Manufacturing/Mobile Home Park
City of Gainesville Proposed Zoning	
(MU-1) Mixed Use Low Intensity	
(MU-2) Mixed Use Low Intensity	
(RMF5) Multi-Family Medium Density Residential	
(RMF7) Multi-Family Medium Density Residential	
(RSF4) Single Family Residential	





Legend

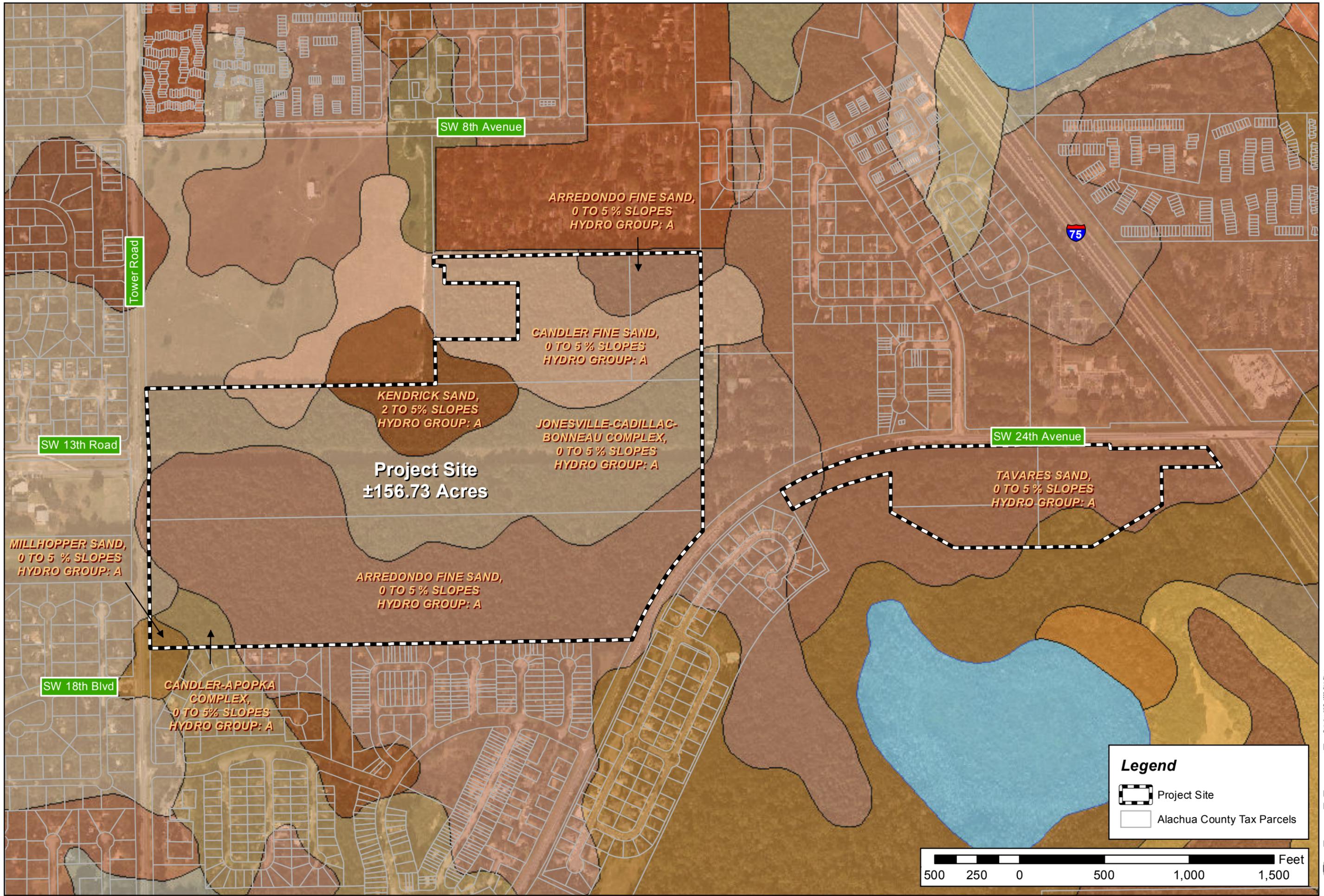
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- Alachua County Tax Parcels
- 5 ft Contours
- 1 ft Contours
- 2006 FEMA 100 Year Floodplain

National Wetlands Inventory

- Permanently Flooded
- Semipermanently Flooded
- Seasonally Flooded



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Alachua County Tax Parcels
06675-001, 06675-003, 06676-000, 06677-000 & 06680-004



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