

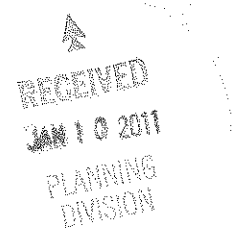
Appendix B

Index of Exhibits

1. Exhibit A – Pre-Application Meeting
2. Exhibit B – Neighborhood Documents
3. Exhibit C – List of Owners
4. Exhibit D – List of Ordinances
5. Exhibit E – Modified Ordinance and PD Report
6. Exhibit F – PD Layout

Exhibit A

(Pre-Application Meetings)



June 15, 2010

Lawrence Calderon
Department of Community Development
City of Gainesville
PO Box 490, Station 12
Gainesville, Florida 32601

Re: 3940 NW 16th Boulevard

Dear Mr. Calderon:

Attached please find a letter addressed to you from Jay Brown of Brown & Cullen Inc. requesting determination of an allowed use pertaining to our office building located in the Fox Field PD. I have asked Jay for his assistance in obtaining the necessary approval from the City of Gainesville which I understand is required prior to my wife and me opening a Pilates Exercise Studio in our building. As you and I have previously discussed, Pilates wasn't even mentioned in the land use regulations back when this PD was originally approved. It is my opinion that if it had it would have been allowed in the present OF category under "exercise studio". Furthermore, it is my belief that if the Fox Field PD were developed today that the current land planning direction of our community would not only include such types of uses in an urban office park such as ours but actually encourage it as a good "mix use" for this location. Therefore, I am respectfully requesting a favorable determination based on the following conditions and facts:

- In 1981, the applicant of the Fox Field PD filed a request to apply PD zoning to several large tracts of land, designating allowable uses as Offices and Residential. Today the office park portion of this PD is commonly known as the Crown Point Office Park.
- Our property is one of the many included in the Crown Point Office Park (the FoxField PD) regulated by Ordinance 2743, 2757 and 3221, originally adopted by the City Commission in 1982. The ordinances state that uses allowed in the PD are those allowed in O-1 and the development standards should comply with standards of the O-2 zoning district.
- At the time of adoption of the PD, the City's zoning and Development standards were regulated as Chapter 29 and the related zoning districts were OR-1, OR-2, O-1 and O-2. In 1992, the city changed the zoning districts (as it relates to Offices), OR-1 and OR-2 were combined to create OR and O-1 and O-2 were combined to create the OF zoning district.
- A rational and logical view would conclude that the allowable uses of OR-1 and OR-2 were merged into the current OR and the allowable uses of the O-1 and O-2 were merged into the OF district. This is further substantiated by the fact that

all uses allowed under O-1 and O-2 are also allowed under the current OF zoning district. Another issue of importance to the decision of allowable uses is the emergence of new uses today which were not in existence at the time of the PD adoption. Since a use such as Pilates is not listed in the O-1 district or anywhere else I assume the Planning Department would therefore have to issue a determination as to whether such a use would be allowed. I contend that the use is similar in character and intensity of several uses allowed in the O-1 and should therefore be considered as a use allowable under the terms of the PD Ordinance.

Once again, I am respectfully requesting a favorable determination that the uses allowed in the current OF district would be considered as allowable uses under the FoxField PD. My request is based on the fact that some of today's office uses are not listed in the O-1 district and based on the actions of the city in 1992 to change the structure of the Office zoning district to OF.

Sincerely,

A handwritten signature in cursive script that reads "Rick Howe".

Rick Howe

c/o Howe Development Corporation
3940 NW 16th Boulevard
Gainesville, Florida 32605

352-367-9192 office
352-367-9193 fax



CIVIL ENGINEERS and LAND PLANNERS

3530 N.W. 43rd Street • Gainesville, Florida 32606

Tel. (352) 375-8999

Fax (352) 375-0833

June 14, 2010

Mr. Lawrence Calderon
Chief of Current Planning
Department of Community Development
City of Gainesville
P.O. Box 490, Station 12
Gainesville, FL 32601

Re: Renaissance Pilates
Determination of Allowable Use

Dear Lawrence:

I have been retained by Rick and Leigh Ann Howe to assist them in determining if a Pilates Studio, they plan to develop, is an allowable use in the FoxField PD. They have asked me to review the existing PD, their proposed use, and coordinate with the City Planning Dept. to reach a final determination.

Following is my analysis, based on a review of available information and documentation.

1. The existing building has an address of 3940 NW 16th Blvd., Bldg. A, and is one of two buildings existing on Lot 1 of the Foxfield PD. Lot 1 is a part of the "Professional Office" area of the Foxfield PD.
2. The Foxfield PD was originally created on July 26, 1982 via City of Gainesville Ordinance 2743 (0-82-89), and amended by Ordinance 3221 (0-86-26) on May 12, 1986.
3. In accordance with the PD ordinance, the allowable uses for all lots within the Foxfield PD "Professional Office Lots" were those uses allowed in the O-1 zoning category of the City Zoning Regulations, existing at the time of the PD creation in 1982.
4. Pilates as a use is currently classified as SIC Code 799107, falling under the general SIC Classification of 7991 – "Physical Fitness Facilities". General Use 7991 existed in the 1977 SIC Manual, that would have been in existence at the time of the PD creation, and in the 1987 updated SIC Manual, that has been used since.
5. The O-1 Zoning Category did not address Physical Fitness Facilities or SIC Code Group 7991. Furthermore, none of the Office Zoning Districts (OR-1, OR-2, O-1, O-2) in the City of Gainesville Zoning Code, addressed SIC Code group 7991 or Physical Fitness Facilities, so it is safe to say that this use was not contemplated in the zoning code, thereby requiring interpretation of whether or not the use is appropriate in the zoning categories.

6. Since the Physical Fitness Facilities (SIC 7991) use was not addressed in the 1982 O-1 zoning category, it is reasonable to look at the City's current zoning code for guidance.
7. The current City of Gainesville Land Development Code no longer contains OR-1 & OR-2, as both of those categories have been merged into a single OR category. The current code also does not contain O-1 & O-2, as both of those categories have been merged into OF. As a result, since the PD identified the allowable uses per zoning category O-1, current zoning category OF would be the applicable appropriate reference for guidance.
8. Current zoning category OF allows "Exercise Studio" as an allowable use. The proposed Pilates studio is definitely aptly described as an "Exercise Studio". As a result, it would be reasonable to assume that currently, a Pilates Studio would be an allowable use in the OF Zoning District.
9. Since an Exercise Studio (or Physical Fitness Facility) was not addressed, at all, in the previous O-1 zoning category, and since an Exercise Studio would currently be allowed in the present OF zoning category, it is a reasonable interpretation to make that an Exercise Studio should be allowable in the O-1 zoning category, which was a precursor to the current OF zoning category.

In addition to the previous analysis, I offer several additional items for consideration in making a final interpretation and determination.

1. The purpose of the O-1 zoning category, referenced by the PD, is for the purpose of "encouraging low intensity offices and studio uses". The building proposed for the Renaissance Pilates studio is only 2,640 sf, of which, 1,150 sf is available for use by the studio. The class sizes, due to the size of the facility, will range from individual to an expected maximum of 8-10 patrons at any given time. Therefore, it is more than reasonable to describe this use as a "low-intensity studio" use.
2. The existing site is fully developed and adequate parking is available on site at the proposed building for the proposed use. Currently 44 spaces exist on the lot, and the 2 buildings (8,672 SF total) require only 29 spaces. Taking the 1150 sf Pilates studio use and apply the parking criteria for "Health Club" (the closest parking use in the code), 36 spaces would be required. Since 44 spaces exist, parking is not an issue, and the existing parking lot would not need to be revised in any way.
3. No additional driveways are required to the major collector road, as the existing ingress/egress is provided to the west and internal to the site, away from the residential use to the east.
4. A 50' buffer exists east of the facility, consisting of landscaping and a retention basin, thereby providing excellent buffering to the residential use to the east.
5. The Lot has an existing free-standing sign, (that is very tasteful I might add), and a portion of the existing signage can be utilized, thereby not requiring any additional signage structure or signage area for the proposed use.

In conclusion, it is my professional opinion that a reasonable interpretation can be made that would allow the Renaissance Pilates studio to occupy a portion of Building 1 of Lot 1 of the Foxfield PD. The Pilates studio is compatible with the current zoning category OF, which is the current zoning category most closely related to the previous O-1 zoning category referenced in the Foxfield PD for allowable uses. In addition, it is apparent that the proposed Pilates studio, in this location, would be a "low-intensity studio use", contemplated as the purpose of the previous O-1 zoning district, and the use would be perfectly compatible with and serve the surrounding office, institutional, business, and residential uses.

Please review the provided analysis and reply with a final interpretation as to whether Renaissance Pilates is an allowable use in Lot 1 of the Foxfield PD. I am available at any time to discuss this matter further with you or other City staff members. Please do not hesitate to contact me with any questions or if you would like to schedule a follow up meeting with myself and Mr. and Mrs. Howe.

Sincerely,

A J Brown Jr.

A. J. "Jay" Brown Jr., P.E.
President, Brown & Cullen Inc.

Cc: Rick & Leigh Anne Howe

Exhibit B

(Neighborhood Meeting Documents)

RECEIVED
JAN 10 2011
PLANNING
DIVISION



MAILING LABEL APPLICATION
For Neighborhood Workshop

Mailing Address: City of Gainesville, Station 12
 Planning and Development Services
 P.O. Box 490
 Gainesville, FL 32602-0490
 Phone: 352-334-5023 Fax: 352-334-3259

Physical Address: 306 NE 6th Avenue
 Thomas Center Building B, Room 158

Today's Date: 5.24.10 Location Map Provided ☐

Tax Parcel Number: 06413 -- 001 -- 000 Foxfield all.

Property Address: 3940 NW 16TH BLVD. - BLDG. A

Project Name: RICHARD R. & LEIGH A. HOWE (OWNERS)

Project Description: OFFICE BUILDING

First Step Meeting Date 5/24/2010 Planner: Lawrence

Circle One: Owner Agent

Applicant: RICK HOWE Signature: [Signature]

Daytime Phone No.: 352-339-0032 ^{MOBILE} Fax No.: 352-333-367-9193
352-367-9192 OFF.

*An incomplete application will not be processed and will be returned to you.
 Applications may take up to five business days to be processed.*

Office Use Only

Due Date: 5/24/2010



Proposed Modification of PD
Ordinance for Crowne Pointe

Parcel #06413-001-000 (shaded)

400-Foot Notification Radius
from Entire Crowne Pointe PD

Prepared by: Department of Community Development
City of Gainesville, Florida
5.24.2010



1 inch = 333 feet

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. For specific information, you are directed to contact the City of Gainesville, Florida.

	A	B	C	D	E	F	G	H	I	J
	Parcel_number	Owner	Pet_nbr	Last_name	First_name	Address_line_1	Address_line_2	City	State	Zip_5
1	06413-001-002	Crowne F		3940 OFFICE PARK OWN ASSOCIATION INC	% SALTER FEIBER YENSEN	PO BOX 357399		GAINESVILLE	FL	32635
2	06107-031-003	Crowne F		41ST STREET PARTNERS (THE)		2622 NW 43RD ST STE C-1		GAINESVILLE	FL	32606
3	06107-030-004	Crowne F		AGA PROPERTIES LLC		2251 NW 41ST STS STE F		GAINESVILLE	FL	32606
4	06414-010-021	Crowne F		AKERSON	R B	3905 NW 20TH LN		GAINESVILLE	FL	32605
5	06108-013-004	Crowne F		AMOS JR	JOHN L	3911 NW 23RD CIR		GAINESVILLE	FL	32605
6	06107-003-005	Crowne F		AMSOUTH BANK		250 RIVERCHASE PKWY E		BIRMINGHAM	AL	35244
7	06396-004-000	Crowne F		BARLOK PROPERTY 401 LLC		2491 LAKESHORE DR		ONEONTA	AL	35121
8	06107-030-009	Crowne F		BEAUFIT	JOHN M	16704 NE 124TH AVE		WALDO	FL	32694
9	06413-002-002	Crowne F		BORDINI	ERNEST J	2121 NW 40TH TER STE B		GAINESVILLE	FL	32605
10	06413-006-000	Crowne F		BROWN	LEWIS JR	PO BOX 5068		GAINESVILLE	FL	32627
11	06413-003-000	Crowne F		BROWN TRUSTEE	PATRICIA ANN	PO BOX 5068		GAINESVILLE	FL	32627
12	06391-024-000	Crowne F		BURRY JR	JAMES A	2008 NW 39TH DR		GAINESVILLE	FL	32605
13	06108-013-005	Crowne F		BYRD & HARKNESS & MCDONALD		PO BOX 12807		GAINESVILLE	FL	32604
14	06107-030-006	Crowne F		CAPITAL CITY BANK		ATTN: TAX DEPT	PO BOX 900	TALLAHASSEE	FL	32302
15	06413-002-003	Crowne F		CATON	RANDALL B	2121 NW 40TH TER # C		GAINESVILLE	FL	32605
16	06107-003-006	Crowne F		COMMERCIAL NET LEAS		450 S ORANGE AVE #900		ORLANDO	FL	32801
17	06108-002-000	Crowne F		CONGREGATE CARE AS		DBA ATRIUM AT GAINESVILLE	2431 NW 41ST ST	GAINESVILLE	FL	32606
18	06412-001-000	Crowne F		CONGREGATION B'NAI ISRAEL		3830 NW 16TH BLVD		GAINESVILLE	FL	32605
19	06108-013-001	Crowne F		COULLIAS	JEANEL F	3923 NW 23RD CIR		GAINESVILLE	FL	32605
20	06412-004-000	Crowne F		CRAVEY & CRAVEY		2225 NW 38TH DR		GAINESVILLE	FL	32605
21	06391-021-000	Crowne F		CROWELL	HELEN	% DEBBIE HENANGAR	PO BOX 553	STARKE	FL	32091
22	06413-004-000	Crowne F		CROWN POINTE IV OWN ASSOCIATION INC		6110 NW 1ST PL STE B		GAINESVILLE	FL	32607
23	06413-005-000	Crowne F		CROWN POINTE V OWN		PO BOX 357550		GAINESVILLE	FL	32653
24	06413-001-001	****		CSR/WDF		PO BOX 357399		GAINESVILLE	FL	32635
25	06414-010-020	Crowne F		DAVIS	JOHN	12580 US HIGHWAY 441		ALACHUA	FL	32615
26	06413-007-000	Crowne F		DENNIS TRUSTEE	CYNTHIA FAYE	205 SUNSET PT		ST AUGUSTINE	FL	32080
27	06107-030-007	Crowne F		DESTEPHENS	JAMES B	2341 NW 41ST ST # B		GAINESVILLE	FL	32606
28	06107-031-001	Crowne F		DONNELLY & GROSS PA		2421 NW 41ST ST STE A-2		GAINESVILLE	FL	32605
29	06413-002-001	Crowne F		PERBES	DONALD C	2121 NW 40TH TER STE A		GAINESVILLE	FL	32605
30	06396-003-000	Crowne F		FORGHANI & STERLING W/H		PO BOX 38		KEYSTONE HEIGHTS	FL	32656
31	06414-010-011	Crowne F		FOSS	RALPH H	2515 NW 22ND TER		GAINESVILLE	FL	32605
32	06414-010-019	Crowne F		FRIEDMAN	STEPHANIE J	3929 NW 20TH LN		GAINESVILLE	FL	32605
33	06393-002-000	Crowne F		GAINESVILLE LITTLE TH INC		PO BOX 14233		GAINESVILLE	FL	32604
34	06414-010-013	Crowne F		GAPENSKI	L C	3915 NW 21ST LN		GAINESVILLE	FL	32605
35	06108-001-002	Crowne F		GARCIA	ANDRES	3928 NW 23RD CIR		GAINESVILLE	FL	32605
36	06414-010-026	Crowne F		GERTSCH	R U	2105 NW 38TH DR		GAINESVILLE	FL	32605
37	06108-001-005	Crowne F		GIGLIA	CHARLES D	3940 NW 23RD CIR		GAINESVILLE	FL	32605
38	06413-004-003	Crowne F		GOLDBLATT	ALAN A	2221 NW 135TH TER		GAINESVILLE	FL	32605
39	06108-001-001	Crowne F		GOLDSTEIN	HARVEY	PO BOX 357158		GAINESVILLE	FL	32605
40	06391-027-000	Crowne F		GREGORY & GREGORY		1926 NW 39TH DR		GAINESVILLE	FL	32605
41	06413-007-002	Crowne F		GRIFFITHS	KAREN A	2430 NW 38TH DR		GAINESVILLE	FL	32605

	A	B	C	D	E	F	G	H	I	J
1	Parcel_number	Owner	Pet_nbr	Last_name	First_name	Address_line_1	Address_line_2	City	State	Zip_5
43	06107-003-004		Crowne F	GVILLE MARKETPLACE ASSOC		703 WATERFORD WAY #800		MIAMI	FL	33126
44	06108-001-006		Crowne F	HANDLEY	KENNETH R	3944 NW 23RD CR		GAINESVILLE	FL	32605
45	06396-012-000		Crowne F	HEATH & KAMATH		2103 NW 40TH TER		GAINESVILLE	FL	32605
46	06414-010-015		Crowne F	HODGE	GEORGE E III	3902 NW 20TH LN		GAINESVILLE	FL	32605
47	06413-001-000		Crowne F	HOWE	RICHARD ROSS	6109 NW 60TH PL		GAINESVILLE	FL	32653
48	06413-007-004		Crowne F	HURY & OSBORNE W/H		2320 NW 38TH DR		GAINESVILLE	FL	32605
49	06391-022-000		Crowne F	HUTTO TRUSTEE	CAROL	1927 NW 39TH DR		GAINESVILLE	FL	32605
50	06414-010-014		Crowne F	INGLEY III TRUSTEE	HERBERT A	3901 NW 21ST LN		GAINESVILLE	FL	32605
51	06107-031-002		Crowne F	J L F INVESTMENTS		PO BOX 358161		GAINESVILLE	FL	32635
52	06107-033-001		Crowne F	KING	MALCOLM C	2321 NW 41ST ST STE A-1		GAINESVILLE	FL	32606
53	06107-030-008		Crowne F	KRIS ANN GATH LAND S		2341 NW 41ST ST STE C		GAINESVILLE	FL	32606
54	06414-010-012		Crowne F	LAWLER	R E	3922 NW 21ST LN		GAINESVILLE	FL	32605
55	06391-028-000		Crowne F	LEON & SCHEAFFER W/H		1918 NW 39TH DR		GAINESVILLE	FL	32605
56	06414-010-028		Crowne F	MATA JR	HOMERO L	2125 NW 38TH DR		GAINESVILLE	FL	32605
57	06391-009-000		Crowne F	MCCAWLEY	NINA JEAN BULLING	1928 NW 39TH TER		GAINESVILLE	FL	32605
58	06413-004-001		Crowne F	MCI PROPERTIES INC		2209 NW 40TH TER STE A		GAINESVILLE	FL	32605
59	06413-005-001		Crowne F	MERCHANTS & SOUTHERN BANK		PO BOX 5278		GAINESVILLE	FL	32627
60	06413-005-002		Crowne F	MERCHANTS & SOUTHERN BANK		PO BOX 5278		GAINESVILLE	FL	32627
61	06413-005-003		Crowne F	MERCHANTS & SOUTHERN BANK		PO BOX 5278		GAINESVILLE	FL	32627
62	06413-005-004		Crowne F	MERCHANTS & SOUTHERN BANK		PO BOX 5278		GAINESVILLE	FL	32627
63	06413-005-005		Crowne F	MERCHANTS & SOUTHERN BANK		PO BOX 5278		GAINESVILLE	FL	32627
64	06413-005-006		Crowne F	MERCHANTS & SOUTHERN BANK		PO BOX 5278		GAINESVILLE	FL	32627
65	06413-005-007		Crowne F	MERCHANTS & SOUTHERN BANK		PO BOX 5278		GAINESVILLE	FL	32627
66	06107-030-002		Crowne F	MILLHOPPER MED CENT		2341 NW 41ST ST STE C		GAINESVILLE	FL	32606
67	06396-009-000		Crowne F	MOCK	DOROTHY	2004 NW 40TH TER		GAINESVILLE	FL	32605
68	06396-010-000		Crowne F	MOREY	BENJAMIN R	2018 NW 40TH TER		GAINESVILLE	FL	32605
69	06413-004-002		Crowne F	NEWMAN	LAWRENCE H	PO BOX 392		PORT SALERNO	FL	34992
70	06108-001-004		Crowne F	ORANSKY	RHODA	3936 NW 23RD CIR		GAINESVILLE	FL	32605
71	06391-025-000		Crowne F	PARKER	JUDITH G	3939 NW 16TH BLVD		GAINESVILLE	FL	32605
72	06396-002-000		Crowne F	PARTRIDGE	MICHAEL B	% GORE-RABELL REAL ES	909 NW 6TH ST	GAINESVILLE	FL	32601
73	06414-010-027		Crowne F	PETTIT	MARK S	2115 NW 38TH DR		GAINESVILLE	FL	32605
74	06107-033-003		Crowne F	PIERSTORFF & GIONET		2321 NW 41ST ST STE B		GAINESVILLE	FL	32606
75	06392-006-000		Crowne F	PINEWOOD PROPERTIE		4229 NW 43RD ST		GAINESVILLE	FL	32606
76	06412-002-000		Crowne F	RAMBO	KEITH JEFFREY	2315 NW 38TH DR		GAINESVILLE	FL	32605
77	06396-001-000		Crowne F	RAYE	JOYCE	2102 NW 40TH TER		GAINESVILLE	FL	32605
78	06108-013-006		Crowne F	REID-RAMBO	TERESA J	3975 NW 23RD CIR		GAINESVILLE	FL	32605
79	06391-010-000		Crowne F	RHODES	JACOB A	204 A ST C		GAINESVILLE	FL	32605
80	06392-005-000		Crowne F	RRC LENDER INC		% PROPERTY TAX DEPT	PO BOX 790830	SAN ANTONIO	TX	78238
81	06108-013-003		Crowne F	SCHMEISER LIFE ESTAT	AURELIA	1925 NW 27TH ST		GAINESVILLE	FL	32605
82	06108-013-002		Crowne F	SCULLY	GERRIE LOU	3919 NW 23RD CIR		GAINESVILLE	FL	32605
83	06108-001-003		Crowne F	SHAW & SPANGLER		3932 NW 23RD CIR		GAINESVILLE	FL	32605

	A	B	C	D	E	F	G	H	I	J
1	Parcel_number	Owner	Pet_nbr	Last_name	First_name	Address_line_1	Address_line_2	City	State	Zip_5
84	06391-023-000		Crowne P	SILVER & SILVER		2007 NW 39TH DR		GAINESVILLE	FL	32605
85	06413-007-001		Crowne P	SILVERMAN & WILKOV H/W		2210 NW 38TH DR		GAINESVILLE	FL	32605
86	06107-033-002		Crowne P	SPAIN PROPERTIES INC		2321 NW 41ST ST STE A1		GAINESVILLE	FL	32606
87	06107-331-002		Crowne P	SPAIN PROPERTIES INC		2321 NW 41ST ST STE A1		GAINESVILLE	FL	32606
88	06107-030-005		Crowne P	STEINBERG	M L	2233 NW 41ST ST		GAINESVILLE	FL	32606
89	06414-010-017		Crowne P	SUSKIN	STUART F	3922 NW 20TH LN		GAINESVILLE	FL	32608
90	06396-011-000		Crowne P	THOMSON & THOMSON		2028 NW 40TH TER		GAINESVILLE	FL	32605
91	06414-010-018		Crowne P	TLSTY	THERESA	3930 NW 20TH LN		GAINESVILLE	FL	32605
92	06414-010-029		Crowne P	TUNG	WEI-TE	2215 NW 38TH DR		GAINESVILLE	FL	32605
93	06391-026-000		Crowne P	WILLIAMS	JEFF	1338 NW 13TH ST		GAINESVILLE	FL	32601
94	06413-007-003		Crowne P	WOOD	C E	2310 NW 38TH DR		GAINESVILLE	FL	32605
95	06108-001-000		Crowne P	WOOD CREEK VILLAGE		5208 SW 91ST DR STE D		GAINESVILLE	FL	32608
96	06414-010-016		Crowne P	ZYLINSKI	RICHARD	3916 NW 20TH LN		GAINESVILLE	FL	32605

100789B

Neighborhood Workshop

For the Foxfield Planned Development (PD) located at the corner of NW 16th Blvd. and NW 40th Terr. Gainesville Florida (and more commonly known as the Crown Point Office Park).

Date: Wednesday, November 10, 2010

Time: 7:00 PM

Place: 3940 NW 16th Blvd., Bldg. A
Gainesville, Florida

Contact: Rick Howe
Howe Development Corporation
352-367-9192

This workshop will be held to discuss a proposed text change amendment to the Foxfield Planned Development (PD). The current allowable uses for the Foxfield PD are regulated under now obsolete ordinances and are not consistent with current business practices typical of most office developments in the City of Gainesville. We are proposing to replace these obsolete zoning categories, also known as O-1, O-2, OR-1 and OR-2, with the current office zoning categories OR and OF. The purpose of this meeting is to inform neighboring property owners of the nature of the proposed amendment and to seek their comments. **This is not a public hearing.**

PUBLIC NOTICE

A neighborhood workshop will be held to discuss a proposed text change amendment to the Foxfield Planned Development (PD) located at the corner of NW 16th boulevard and NW 40th Terrace, Gainesville, Florida to replace the obsolete zoning categories of O-1, O-2, OR-1 and OR-2 to the new zoning categories of OR and OF. The purpose of the meeting is to inform neighboring property owners of the nature of the proposal and to seek their comments. **This is not a public hearing.**

This meeting will be held Wednesday, November 10, 2010 at 7PM at 3940 NW 16th Boulevard, Bldg A, Gainesville, Florida.

Contact person: Rick Howe 352-367-9192

PUBLIC NOTICE

A neighborhood workshop will be held to discuss a proposed text change amendment to the Foxfield Planned Development (PD) located at the corner of NW 16th boulevard and NW 40th Terrace, Gainesville, Florida to replace the obsolete zoning categories of O-1, O-2, OR-1 and OR-2 to the new zoning categories of OR and OF. The purpose of the meeting is to inform neighboring property owners of the nature of the proposal and to seek their comments. **This is not a public hearing.**

This meeting will be held Wednesday, November 10, 2010 at 7PM at 3940 NW 16th Boulevard, Bldg A, Gainesville, Florida.
Contact person: Rick Howe 352-367-9192

Commitment to accuracy

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Early drawing: 2-1-6-7
Night drawing: 5-2-3-8
FANTASY 5
100789B
MEGA MONEY
13-26-31-34 MB: 20

PREVIOUS RESULTS
FANTASY 5—Monday
2-3-6-11-31
Match Payoff Winners
5-of-5 \$194,206.01 1
4-of-5 \$99 316
3-of-5 \$8.50 10,158


PUBLIC NOTICE

A Neighborhood Workshop will be held to discuss a Rezoning application to Planned Development on a 490 acres located at the intersection of County Roads 2082 and 234 approximately seven miles east of Downtown Gainesville in Rochelle, Florida. The purpose of the application is to allow for the development of the Prairie Creek Conservation Lodge and surrounding area. This is not a public hearing. The function of this workshop is to inform the public about the nature of the proposal and to seek their comments.

The workshop will be held Monday, November 8, 2010 at 6:00 pm at the Prairie Creek Conservation Lodge located at 7204 SE County Road 234 in Gainesville, Florida.

Contact person: Robert Hutchinson,
Alachua Conservation Trust
Phone number: 352-373-1078

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PUBLIC NOTICE

A neighborhood workshop will be held to discuss a proposed text change amendment to the Foxfield Planned Development (PD) located at the corner of NW 16th boulevard and NW 40th Terrace, Gainesville, Florida to replace the obsolete zoning categories of O-1, O-2, OR-1 and OR-2 to the new zoning categories of OR and OF. The purpose of the meeting is to inform neighboring property owners of the nature of the proposal and to seek their comments. **This is not a public hearing.**

This meeting will be held Wednesday, November 10, 2010 at 7PM at 3940 NW 16th Boulevard, Bldg A, Gainesville, Florida. Contact person: Rick Howe 352-367-9192

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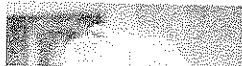
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2A | THE GAINESVILLE SUN | WEDNESDAY, OCTOBER 27, 2010

PEOPLE



with his childhood friend and former University of California, Berkeley,

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TODAY ON THE WEB

HALLOWEEN PLANS: See a video of UF students talking

[illegible]

(Handout For)
Foxfield PD Neighborhood Workshop
November 10, 2010

1. The Foxfield PD was originally created on July 26, 1982 via City of Gainesville Ordinance 2743 (0-82-89), and amended by Ordinance 2757 (0-82-100) on September 13, 1982 and Ordinance 3221 (0-86-26) on May 12, 1986.
2. In accordance with the PD ordinance, the allowable uses for all lots within the Foxfield PD "Professional Office Lots" were those uses allowed in the O-1 zoning category of the City Zoning Regulations, existing at the time of the PD creation in 1982.
3. The current City of Gainesville Land Development Code no longer contains OR-1 & OR-2, as both of those categories have been merged into a single OR category. The current code also does not contain O-1 & O-2, as both of those categories have been merged into OF. As a result, since the PD identified the allowable uses per zoning category O-1, this proposal is to amend the PD to allow uses in the current OF category.
4. The subject property has an address of 3940 NW 16th Blvd., Bldg. A, and is one of two buildings existing on Lot 1 of the Foxfield PD. Lot 1 is a part of the "Professional Office " area of the Foxfield PD.
5. As of this date, four other owners of office buildings in the Foxfield PD have requested that their properties be included in the proposed PD amendment. Others may choose to participate.

MEETING FOR FOXFIELD PLANNED DEVELOPMENT
NEIGHBORHOOD WORKSHOP
(3940 NW 16TH BLVD., BLDG. A)
November 10, 2011

Rick Howe called the meeting to order at 7:10 PM.

In attendance were Rick Howe, Leigh Howe, Jay Brown, Jane Gaitanis. David Menet of the law firm Salter, Feiber, Murphy, Hutson & Menet stopped by briefly to deliver executed agreement in support of the proposed amendment to PD (Law firm is co-owner with the Howe's in lot 1 of the Foxfield PD).

Rick Howe read the attached statement.

The meeting was opened for questions from the audience.

No questions were asked from the audience.

Seeing no further interest in the meeting; meeting was adjourned at 7:15 pm.

Respectfully submitted,


Rick Howe

Exhibit C

(List of Owners – Crown Point Office)

October 25, 2010

Dear Property Owner:

You are receiving this letter because you are listed as a property owner included in a development known as the Foxfield Planned Development (PD) which was approved by the City of Gainesville in 1982. This correspondence is intended to inform you of what I have discovered about our properties concerning the uses which are allowed.

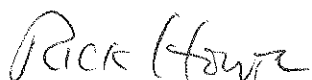
Simply put, the ordinances regulating the allowable uses on our properties are obsolete and are not consistent with current business practices typical of most office developments in the City of Gainesville. Furthermore, the current City of Gainesville's Land Development Code, which regulates allowable uses in the city, no longer utilizes these obsolete zoning districts which are currently placed on our properties by the Foxfield PD. Those old zoning districts are known as O-1, O-2, OR-1 and OR-2; presently our properties must conform to the O-1 zoning uses. In order to find the uses allowed in O-1 zoning, you have to go back to the 1980 zoning code.

In order to make my property consistent with the most current zoning districts, the City's Planning Department has informed me that I must amend the Planned Development to change from the above mentioned zoning districts to the current zoning districts known as OR and OF (see attached). While I cannot amend the entire Foxfield PD, I have decided to pursue an amendment of my own property and wish to extend this opportunity to you as a property owner included in the Foxfield Planned Development. I intend to file an application with the City before the end of the year and extend an opportunity for you to participate by including your property in the requested amendment.

If you wish to participate please sign the enclosed form and return to the address listed below. The City's Planning Department has informed me that only those property owners who willingly participate will be included in this amendment so it is important that we know in advance who is in and who is not. Those who do not wish to participate will not be affected in any way other than future available uses for their properties will be enforced using the older 1980's zoning classifications.

In accordance with procedures of the City of Gainesville, I will be conducting a neighborhood workshop with the surrounding neighborhoods. In the meantime, if you have any questions about this matter, please don't hesitate to contact me at either my office (352) 367-9192 or my mobile (352) 339-0032. Also you may contact Lawrence Calderon with the City's Planning Department at (352) 334-5023.

Sincerely,



Rick Howe
Howe Development Corporation
3940 NW 16th Blvd., Building A
Gainesville, Florida 32605

PB-11-2 PDA
Foxfield (old Crown Point)

Suites 100-700

100789B

4

5

6

4040

339

2103

@3
2234
@3
2240
@2
2246

5

@3
2228

@3
2222

@3
2216

@3

@12
2114

NW 40TH TERRACE

2121
@3

2129
A&B

2131
@5

2135
@5

2230

2201

2205 @3

4

2209 @3

2211

A

3

18

12

13

11

14

15

16

17

3930

3922

3916

3915

3901

NW 21S

3902

3922

3940

A

B

1

2

A

B

C

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HTSQFT 13022
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own_fname LEWIS JR
own_addr PO BOX 5068
own_addr2
own_addr3
own_city GAINESVILLE
own_state FL
own_zip1 32627
own_zip2 0
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full_addre 2114 NW 40TH TER
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streetdire NW
streetname 40TH
streettype TER

①

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own_addr PO BOX 5357550
own_addr2
own_addr3
own_city GAINESVILLE
own_state FL
own_zip1 32653
own_zip2 0
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mp_strnum 02228
streetdire NW

②

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streettype TER

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streettype TER

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streettype TER

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own_addr3
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own_state FL
own_zip1 32653
own_zip2 0
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mp_range 19
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streetdire NW
streetname 40TH
streettype TER

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GIS_Acres 1.626117
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HTSQFT 0
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own_fname INC
own_addr PO BOX 357550
own_addr2
own_addr3
own_city GAINESVILLE
own_state FL
own_zip1 32653
own_zip2 0
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3

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streetdire
streetname
streettype

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own_zip2 0
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streettype TER

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HTSQFT 3607
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own_fname
own_addr PO BOX 5357550
own_addr2
own_addr3
own_city GAINESVILLE
own_state FL
own_zip1 32653

own_zip2 0
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mp_range 19
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mp_strnum 02240
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streetname 40TH
streettype TER

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HTSQFT 3700
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own_addr PO BOX 5068
own_addr2
own_addr3
own_city GAINESVILLE
own_state FL
own_zip1 32627
own_zip2 0
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mp_range 19
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mp_strnum 02246
streetdire NW
streetname 40TH
streettype TER

OBJECTID 10802
ID 06413-004-000
GIS_Acres 1.441637
SQFT 0
HTSQFT 0
own_lname CROWN POINTE IV OWNERS
own_fname ASSOCIATION INC
own_addr 6110 NW 1ST PL STE B
own_addr2
own_addr3

G'ville 32607

(4)

own_city GAINESVILLE
own_state FL
own_zip1 32607
own_zip2 0
mp_section 35
mp_townshi 9
mp_range 19
full_addre 0 NW 40TH TER
mp_strnum 00000
streetdire NW
streetname 40TH
streettype TER

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GIS_Acres 0.22533
SQFT 6084

HTSQFT 5855
own_lname NEWMAN
own_fname LAWRENCE H
own_addr 300 SW 41ST ST
own_addr2
own_addr3
own_city GAINESVILLE
own_state FL
own_zip1 32607
own_zip2 0
mp_section 35
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streetdire NW
streetname 40TH
streettype TER

(5)

OBJECTID 10805
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GIS_Acres 0.17354
SQFT 6975

HTSQFT 6738
own_lname GOLDBLATT
own_fname ALAN A
own_addr 2221 NW 135TH TER

32606

(6)

own_addr2
own_addr3
own_city GAINESVILLE
own_state FL
own_zip1 32606
own_zip2 0
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mp_range 19
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streettype TER

OBJECTID 10803
ID 06413-004-001
GIS_Acres 0.493283
SQFT 7580
HTSQFT 7293

own_lname MCI PROPERTIES INC
own_fname
own_addr 2209 NW 40TH TER STE A
own_addr2
own_addr3
own_city GAINESVILLE
own_state FL
own_zip1 32605
own_zip2 0
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mp_range 19
full_addre 2209 NW 40TH TER
mp_strnum 02209
streetdire NW
streetname 40TH
streettype TER

⑦

OBJECTID 10752
ID 06413-003-000
GIS_Acres 1.311596
SQFT 11856
HTSQFT 11223
own_lname BROWN

own_fname PATRICIA ANN TRUSTEE
 own_addr PO BOX 5068
 own_addr2
 own_addr3
 own_city GAINESVILLE
 own_state FL
 own_zip1 32627
 own_zip2 0
 mp_section 35
 mp_townshi 9
 mp_range 19
 full_addre 2131 NW 40TH TER
 mp_strnum 02131
 streetdire NW
 streetname 40TH
 streettype TER

OBJECTID 10749
 ID 06413-002-001
 GIS_Acres 0.064619
 SQFT 2017

HTSQFT 1992
 own_lname ERBES
 own_fname DONALD C
 own_addr 2121 NW 40TH TER
 own_addr2
 own_addr3
 own_city GAINESVILLE
 own_state FL
 own_zip1 32605
 own_zip2 0
 mp_section 35
 mp_townshi 9
 mp_range 19
 full_addre 2129 NW 40TH TER
 mp_strnum 02129
 streetdire NW
 streetname 40TH
 streettype TER

OBJECTID 10750
 ID 06413-002-002

GIS_Acres 0.07091

SQFT 2017

HTSQFT 1992

own_lname BORDINI

own_fname ERNEST J

own_addr 2121 NW 40TH TER STE B

own_addr2

own_addr3

own_city GAINESVILLE

own_state FL

own_zip1 32605

own_zip2 0

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streetdire NW

streetname 40TH

streettype TER

(10)

OBJECTID 10751

ID 06413-002-003

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SQFT 4432

HTSQFT 3884

own_lname CATON

own_fname RANDALL B

own_addr 2121 NW 40TH TER # C

own_addr2

own_addr3

own_city GAINESVILLE

own_state FL

own_zip1 32605

own_zip2 0

mp_section 35

mp_townshi 9

mp_range 19

full_addre 2121 NW 40TH TER

mp_strnum 02121

streetdire NW

streetname 40TH

streettype TER

(11)

OBJECTID 10748
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GIS_Acres 0.811899
SQFT 0
HTSQFT 0
own_lname 3940 OFFICE PARK OWNERS
own_fname ASSOCIATION INC
own_addr % SALTER FEIBER YENSER MURPHY
own_addr2 & HUTSON PA
own_addr3
own_city GAINESVILLE
own_state FL
own_zip1 32635
own_zip2 0
mp_section 35
mp_townshi 9
mp_range 19
full_addre 0 NW 16TH BLVD
mp_strnum 00000
streetdire NW
streetname 16TH
streettype BLVD

OBJECTID 10747
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HTSQFT 5936
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own_fname
own_addr PO BOX 357399
own_addr2
own_addr3
own_city GAINESVILLE
own_state FL
own_zip1 32635
own_zip2 0
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mp_townshi 9
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streetname 16TH
streettype BLVD

(12)

OBJECTID 10746
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SQFT 3702
HTSQFT 2736
own_lname HOWE
own_fname RICHARD ROSS
own_addr 6109 NW 60TH PL
own_addr2
own_addr3
own_city GAINESVILLE
own_state FL
own_zip1 32653-3136
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streetname 16TH
streettype BLVD

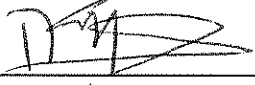
(13)

To whom it may concern,

I, DAVID E. MENET the undersigned, do hereby verify that I am the owner of tax parcel # 06113-001-001, located at 3940 NW 16 BLVD, BLDG. B Gainesville, Florida. GAINESVILLE, FL 32605

I authorize said tax parcel to be included in the proposed text change petition to the Foxfield Planned Development changing the regulating allowable uses per zoning district from the old O-1, O-2, OR-1 and OR-2 zoning categories to the new OR and OF zoning categories.

I understand that all development opportunities will remain the same and that the uses allowed in the OR and OF zoning district will be available to my property.

CSR | WDF
Signed by  Date 11/10/10
DAVID E. MENET
AS PARTNER

Please Return To:


Rick Howe
3940 NW 16th Blvd., Bldg. A
Gainesville, Florida 32605

To whom it may concern,

I, RICHARD HOWE the undersigned, do hereby verify that I am the owner of tax parcel # 6413-001-000, located at 3940 NW 16TH BLVD, BLDG. A Gainesville, Florida.

I authorize said tax parcel to be included in the proposed text change petition to the Foxfield Planned Development changing the regulating allowable uses per zoning district from the old O-1, O-2, OR-1 and OR-2 zoning categories to the new OR and OF zoning categories.

I understand that all development opportunities will remain the same and that the uses allowed in the OR and OF zoning district will be available to my property.

Signed by  Date 11-10-10

Please Return To:

Rick Howe
3940 NW 16th Blvd., Bldg. A
Gainesville, Florida 32605

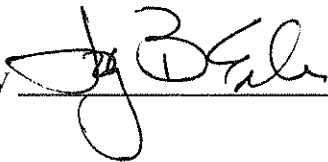
To whom it may concern,

I, Joy Erbes the undersigned, do hereby verify that I am the owner of tax parcel # 06413-002-001, located at 2121 NW 40th Terrace, Gainesville, Florida.

I authorize said tax parcel to be included in the proposed text change petition to the Foxfield Planned Development changing the regulating allowable uses per zoning district from the old O-1, O-2, OR-1 and OR-2 zoning categories to the new OR and OF zoning categories.

I understand that all development opportunities will remain the same and that the uses allowed in the OR and OF zoning district will be available to my property.

Signed by



Date

1/3/2011

Please Return To:

Rick Howe
3940 NW 16th Blvd., Bldg. A
Gainesville, Florida 32605

To whom it may concern,

I, Ernest J. Bracklin the undersigned, do hereby verify that I am the owner of tax parcel # FOXFIELD PD O-12 A 8417 061872, located at 2121-B NW 40 Terrace, Gainesville, Florida. AKA UNIT B of Gainesville Dental Arts Condo.

I authorize said tax parcel to be included in the proposed text change petition to the Foxfield Planned Development changing the regulating allowable uses per zoning district from the old O-1, O-2, OR-1 and OR-2 zoning categories to the new OR and OF zoning categories.

I understand that all development opportunities will remain the same and that the uses allowed in the OR and OF zoning district will be available to my property.

Signed by



Date

11/9/10

Please Return To:

Rick Howe
3940 NW 16th Blvd., Bldg. A
Gainesville, Florida 32605

To whom it may concern,

I, RANDALL CATON the undersigned, do hereby verify that I am the owner of tax parcel # 06413-002-003, located at 2121 NW 40th ST. FOXFIELD PD 0-12A, ^{PART} Gainesville, Florida. _{OF LOT 2}

I authorize said tax parcel to be included in the proposed text change petition to the Foxfield Planned Development changing the regulating allowable uses per zoning district from the old O-1, O-2, OR-1 and OR-2 zoning categories to the new OR and OF zoning categories.

I understand that all development opportunities will remain the same and that the uses allowed in the OR and OF zoning district will be available to my property.

Signed by Randall Caton Date Nov 8, 2010

Please Return To:

Rick Howe
3940 NW 16th Blvd., Bldg. A
Gainesville, Florida 32605

*See attached to that
the text change
is for the
the same
from the
Randy*

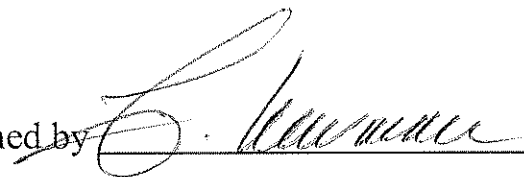
To whom it may concern,

I, LAWRENCE NEWMAN the undersigned, do hereby verify that I am the owner of tax parcel # 06413-004-002, located at 2201 NW 40th Ter., Gainesville, Florida.

I authorize said tax parcel to be included in the proposed text change petition to the Foxfield Planned Development changing the regulating allowable uses per zoning district from the old O-1, O-2, OR-1 and OR-2 zoning categories to the new OR and OF zoning categories.

I understand that all development opportunities will remain the same and that the uses allowed in the OR and OF zoning district will be available to my property.

Signed by



Date

11/4/10

Please Return To:

Rick Howe
3940 NW 16th Blvd., Bldg. A
Gainesville, Florida 32605

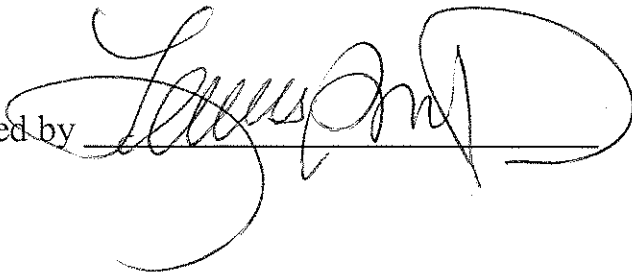
To whom it may concern,

I, LEWIS BROWN the undersigned, do hereby verify that I am the owner of tax parcel # 06413-006-000, located at 2114 NW 40th TERRACE Gainesville, Florida.

I authorize said tax parcel to be included in the proposed text change petition to the Foxfield Planned Development changing the regulating allowable uses per zoning district from the old O-1, O-2, OR-1 and OR-2 zoning categories to the new OR and OF zoning categories.

I understand that all development opportunities will remain the same and that the uses allowed in the OR and OF zoning district will be available to my property.

Signed by



Date 07 JAN 2011

Please Return To:


Rick Howe
3940 NW 16th Blvd., Bldg. A
Gainesville, Florida 32605

To whom it may concern,

I, Robert Page the undersigned, do hereby verify that I am the owner of tax parcel # 06413-003-000, located at 2131 & 2135 NW 40 Terrace Gainesville Gainesville, Florida.

I authorize said tax parcel to be included in the proposed text change petition to the Foxfield Planned Development changing the regulating allowable uses per zoning district from the old O-1, O-2, OR-1 and OR-2 zoning categories to the new OR and OF zoning categories.

I understand that all development opportunities will remain the same and that the uses allowed in the OR and OF zoning district will be available to my property.

Signed by 
Alvin Burt
Alachua County Resident

Date 1/24/11

Please Return To:

Rick Howe
3940 NW 16th Blvd., Bldg. A
Gainesville, Florida 32605

To whom it may concern,

I, M & S Bank the undersigned, do hereby verify that I am the owner of tax parcel # Listed Below, located at 2230 NW 40th Terrace (Lot 5), Gainesville, Florida.

I authorize said tax parcel to be included in the proposed text change petition to the Foxfield Planned Development changing the regulating allowable uses per zoning district from the old O-1, O-2, OR-1 and OR-2 zoning categories to the new OR and OF zoning categories.

I understand that all development opportunities will remain the same and that the uses allowed in the OR and OF zoning district will be available to my property.

Signed by J. T. Mallini
President

Date 2/1/11

Please Return To:

Rick Howe
3940 NW 16th Blvd., Bldg. A
Gainesville, Florida 32605

Parcel Numbers
06413-005-001
Thru
06413-005-007

To whom it may concern,

I, FRANCIS W. MASE the undersigned, do hereby verify that I am the owner of tax parcel # 6413-004-001, located at 2209 NW 40th Terr, Gainesville, Florida.

I authorize said tax parcel to be included in the proposed text change petition to the Foxfield Planned Development changing the regulating allowable uses per zoning district from the old O-1, O-2, OR-1 and OR-2 zoning categories to the new OR and OF zoning categories.

I understand that all development opportunities will remain the same and that the uses allowed in the OR and OF zoning district will be available to my property.

Signed by



Date

2/1/11

Please Return To:

Rick Howe
3940 NW 16th Blvd., Bldg. A
Gainesville, Florida 32605

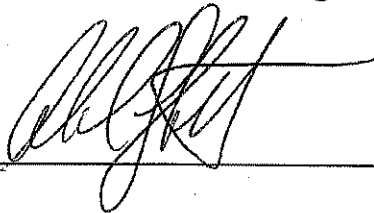
To whom it may concern,

I, ALAN GOLDBLATT the undersigned, do hereby verify that I am the owner of tax parcel # 06413-004-003, located at 2205 NW 40th Terrace, Gainesville, Florida.

I authorize said tax parcel to be included in the proposed text change petition to the Foxfield Planned Development changing the regulating allowable uses per zoning district from the old O-1, O-2, OR-1 and OR-2 zoning categories to the new OR and OF zoning categories.

I understand that all development opportunities will remain the same and that the uses allowed in the OR and OF zoning district will be available to my property.

Signed by



Date

1/31/11

Please Return To:

Rick Howe
3940 NW 16th Blvd., Bldg. A
Gainesville, Florida 32605

Received

1/31/2011

Exhibit D

(List of Ordinances)

4
RECEIVED
JAN 10 2011
PLANNING
DIVISION

FOXFIELD PLANNED DEVELOPMENT

ORDINANCE No.2743

JULY 26, 1982

ORDINANCE NO. 2743
0-82-89

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, BY REZONING CERTAIN LANDS WITHIN THE CITY FROM "RSF-1; 3.5 UNITS/ACRE SINGLE-FAMILY RESIDENTIAL DISTRICT" AND "RMF-6; 10-15 UNITS/ACRE MULTIPLE-FAMILY RESIDENTIAL DISTRICT TO A NEW ZONING CLASSIFICATION OF "PD" (PLANNED DEVELOPMENT); INCORPORATING THE DEVELOPMENT PLAN MAP AND THE DEVELOPMENT PLAN REPORT; PROVIDING ADDITIONAL REGULATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Plan Board authorized the publication of notice of a public hearing that certain lands within the City be rezoned from the zoning district categories of "RSF-1; 3.5 Units/Acre Single Family Residential District" and "RMF-6; 10-15 Units/Acre Multiple Family Residential District" to the new category of "PD" (Planned Development); and

WHEREAS, notices were given and publications made as required by law on September 2, 1981, and January 6, 1982, of Public Hearings which were then held by the City Plan Board on September 17, 1981, January 21, 1982, February 18, 1982, and February 25, 1982; and

WHEREAS, notices were given and publications made on October 2, 1981 and February 5, 1982, of Public Hearings which were then held by the City Commission on November 2, 1981, November 9, 1981, and March 8, 1982; and

PETITION NO. 112-81 PB

WHEREAS, pursuant to law at least seven (7) days notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the A. Clarence O'Neill Auditorium of the Municipal Building of the City of Gainesville; and

WHEREAS, a Public Hearing was held pursuant to the published notice described above at which hearing the parties in interest and all others had an opportunity to be and were, in fact, heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

Section 1. The following described property is rezoned and changed from the zoning district categories of "RSF-1; 3.5 Units/Acre Single Family Residential District" and "RMF-6; 10-15 Units/Acre Multiple Family Residential District to a new category of "PD" (Planned Development), as provided in Chapter 29A, Zoning Code of the City of Gainesville:

A tract of land situated in Section 26, T9S, R19E, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the SE corner of the SW 1/4 of said Section 26, T9S, R19E and run N 89°54'06" W, along the south line of said Section 26, a distance of 82.50 feet to the Point of Beginning; thence continue N 89°54'06" W, along said south line 950.00 feet; thence run N 00°26'41" W, parallel to the east line of the said SW 1/4, 630.00 feet; thence run N 89°33'19" E, 140.00 feet; thence run N 00°26'41" W, parallel to the east line of the said SW 1/4, 800 feet more or less to the centerline of creek; thence run northeasterly, along the centerline of said creek, 1040 feet more or less to a point lying

82.50 feet west of the east line of the said SW 1/4; thence run S 00°26'41" E, parallel to and 82.50 feet west of the said east line, 1913 feet more or less to the Point of Beginning, and also including:

A tract of land situated in Section 35, T9S, R19E, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the NW corner of Section 35, T9S, R19E, and run S 89°54'06" E, along the north line of said Section 35, a distance of 1121.94 feet to the Point of Beginning; thence continue S 89°54'06" E, along said north line, 1168.35 feet; thence run S 00°16'01" W, 1117.75 feet to the northerly Right-of-way line of N.W. 16th Blvd.; thence run N 64°09'45" W, along said northerly Right-of-way line, 684.46 feet; thence run northwesterly along said Right-of-way line with a curve concave northeasterly, said curve having a central angle of 02°13'33", a radius of 11409.16 feet, an arc of 443.22 feet and a chord bearing and distance of N 63°02'59" W, 443.20 feet; thence run N 61°56'12" W, along said Right-of-way line, 168.96 feet; thence run N 00°18'42" W, 541.10 feet to the Point of Beginning. The said tract of land including 56.21 acres more or less.

Section 2. The City Manager is authorized and directed to make change in the Zoning Map to comply with this Ordinance.

Section 3. The Development Plan attached to this ordinance which consists of the following:

- 1) a six page development plan report dated December 16, 1982 (Revised - February 24, 1982) (Revised - May 25, 1982) and identified as Exhibit "A";
- 2) a Development Plan map prepared by Richard D. Tarbox, consisting of an existing land use map, existing zoning map, topography map, soils map, vegetation map, land use map and landscaping plan, all identified as composite Exhibit "B";

are incorporated herein and made a part of this ordinance as if set forth in full. The terms, conditions, and limitations of the Development Plan shall regulate the use and development of the land described herein zoned to the classification of Planned Development as provided in Chapter 29A, Zoning Code of the City of Gainesville.

Section 4. The following conditions, restrictions and regulations shall also apply to the development and use of the land described herein.

- 1) Except as expressly provided in Section 3 of this Ordinance, the use of the land described herein and designated "professional offices" in the development plan map shall be governed as if this land were zoned "0-1, Limited Office District," and the development of such land shall be governed as if it were zoned "0-2, General Office District";
- 2) Except as expressly provided in Section 3 of this Ordinance the use and regulation of the land described herein and designated "RMF-8" for multi-family use in the development plan map shall be governed as if this land were zoned "RMF-8; 20-30 units/acre Multiple Family Residential District;"
- 3) Except as expressly provided in Section 3 of this Ordinance, the use and regulation of the land described herein and designated "patio

- homes" in the development plan map shall be governed as if this land were zoned "RMF-6; 10-15 Units/Acre Multiple-Family Residential District";
- 4) Except as expressly provided in Section 3 of this Ordinance, the use and regulation of the land described herein and designated "single family lots" in the development plan map shall be governed as if this land were zoned "RSF-1; 3.5 Units/Acre Single Family Residential District;
- 5) Prior to the transfer of any real property designated "patio homes" and "professional offices," or of the improvements constructed thereon, there shall be recorded in the public records of Alachua County, Florida, either an effective declaration of condominium or other effective restrictive covenants containing provisions substantially the same as those attached hereto as Exhibit "C";
- 6) Prior to the issuance of any certificate of occupancy for any building or structure, there shall be dedicated to the City of Gainesville, its successors and assigns, for the use and benefit of the public, that certain sixty (60) foot road right-of-way as indicated in the Development Plan which shall be installed and constructed in accordance with City specifications and at no expense to the City;

- 7) Prior to the issuance of any certificate of occupancy for any "patio home," as designated in the development map, there shall be recorded in the public records of Alachua County, Florida, an ingress/egress easement to the City of Gainesville, its successors and assigns, over the "emergency access" as indicated in the Development Plan;
- 8) No building permit or other development order shall be issued on the land described herein and designated "RMF-8" (multi-family use), unless and until additional ingress/egress is provided for this area;
- 9) No certificate of occupancy shall be issued for any building or structure unless and until approved turn lanes are constructed and completed on N.W. 16th Boulevard at no expense to the City;
- 10) The private roadway system as indicated in the Development Plan shall be installed and constructed in accordance with all applicable standards of the City of Gainesville.
- 11) No office building permits shall be issued until at least 10% of the detached single-family dwellings units are 3/4 completed.

- 12) The landscaping and parking areas for each detached building on the land designated "patio homes" and "professional offices" shall be installed and completed prior to the issuance of a certificate of occupancy for any unit within such building;
- 13) Existing mature hardwood trees along the east and north boundaries of the development shall be preserved as part of the buffering system around the development;
- 14) Site plan approval shall be required for the entire development in accordance with the procedures outlined in Article XII of Chapter 29A;
- 15) No building, structure, or construction of any type shall be erected, installed or maintained within fifty feet (50') of the centerline of the creek as indicated in the Development Plan; and
- 16) All public services and facilities shall be installed and constructed in accordance with the ordinances, regulations and policies of the City of Gainesville and Gainesville Regional Utilities.

Section 5. If any portion of this Ordinance is held to be invalid or unenforceable by any Court of competent jurisdiction, then such shall not be deemed to affect the remaining portions of this Ordinance.

Section 6. All ordinances, or parts of ordinances, in conflict herewith are, to the extent of such conflict hereby repealed.

Section 7. This Ordinance shall become effective immediately upon its final adoption.

DATED this 26th day of July, 1982.


MAYOR-COMMISSIONER

ATTEST:



CLERK OF THE COMMISSION

This Ordinance passed on first reading this 12th day of July, 1982.

This Ordinance passed on second and final reading this 26th day of July, 1982.

JUL 8 1982

Approved as to form and correctness

By  ASST. City Atty
J. T. Frankenberger, City Attorney
City of Gainesville, Florida

RICHARD D. TARBOX**PLANNING AND DESIGN CONSULTANT**

RECEIVED

December 16, 1982
(Revised - February 24, 1982)
(Revised - May 25, 1982)

MAY 26 1982

PLANNING
DIVISION

FOXFIELD PLANNED DEVELOPMENT

Prepared For: DR. & MRS. CHARLES PINKOSON
c/o 2727 N. W. 43rd Street
Gainesville, FL 32606

Prepared by: RICHARD D. TARBOX (Agent)
Planning and Design Consultant
2727 N. W. 43rd Street
Gainesville, FL 32606

1. Legal Description (attached)
2. Existing Conditions Maps (see attached site analysis)
3. Development Plan Map (see Master Plan)
 - a. Development will have four land uses: (1) Professional offices which will conform to O-1 uses and dimensional requirements as listed in O-2; (2) Apartments which will conform to RMF-8 zoning; (3) Patio Home Development which will conform to RMF-6 zoning, and (4) Single Family Residences which will conform to RSF-1 zoning. Ownership for the Patio Home units will be in a condominium association. Single Family Homes will be on individual lots and conveyed by conventional means. The office area on the west side of the project will be either condominium or rental units, depending on the economic conditions at the time of their construction. Since the offices are in the later phase of development, it is not possible to determine the ownership of the units at this time.
 - b. The main vehicle access comes from NW 16th Boulevard at the intersection of NW 38th Drive. A 60-foot road right-of-way (dedicated) will provide major vehicle circulation throughout the project with private driveways providing access to the residential clusters and individual residential units. The 60-foot road R.O.W. will come into the site approximately 2000 feet to a rondel and then continue another 700 feet to a cul-du-sac (see Master Plan).

An emergency access west out of the patio home area and eventually connecting with NW 41st Street will provide an alternate outlet in the event of blockage of the main access road. Access to the multi-family area will be through other multi-family lands lying adjacent and west of the multi-family tract proposed. Access to the professional office development will come off of NW 16th Boulevard at the intersection between NW 40th Terrace and NW 39th Drive. This point of ingress and egress will provide access only to the offices. All roadways and parking areas will meet City transportation department specifications.

Bicycle and pedestrian circulation will be provided in the form of a bike way/walkway system tying into the sidewalk system along NW 16th Boulevard and paralleling the major roadway system through the development. A pedestrian path will also be provided through the office area, tying into NW 16th Boulevard to the southwest. All bike/walkways will conform to City specifications.

- c. All patio home units are proposed to be grouped together in six-plex structures. These structures will either be grouped together to form clusters or be able to stand alone. All six-plex structures will be made up of a variety of two-story townhouses or one-story flats.

Proposed office units will be one-story structures. No building will exceed 35 feet in height.

All single family residential units will have minimum setbacks in conformance with RSF-1 zoning.

The professional offices will have a minimum building setback of 25 feet in the rear yard and 25 feet side-to-side between structures.

- d. Common open space areas will be provided throughout the development. All recreational areas and open space areas will be owned and maintained by the owner or an owners' association. All facilities will be restricted to and reserved for the residents of the development.
- e. No public/institutional uses.

4. Development Plan Report

- a. The intent and purpose of the planned development is to provide a mix-use transition zone between existing conventional single family residences and future office and commercial development. Also, it is intended to develop alternative housing types which will provide more efficient use of the site and provide better housing opportunities to the general public.
- b. Proposed internal land use is to be a mixture of professional offices in the SW corner of the site and the remaining area to be made up of residential units. There is one existing single family residence to remain on site. All proposed residences will be multi-family, patio home and single family in character and will be sold as condominium units (patio homes), rental (multi-family) units, and fee simple conventional ownership (single family). All land will be owned and maintained by the owner or an owners' association.

It is the intent of the mixed internal land-use to act as a stepping down mechanism between different external land uses. Land uses will transcend from medium use of the professional offices on the west, to a lower intensity use of single family to the east and north. External land uses abutting the site include AP(h) uses to the extreme west, R-3 multi-family to the northwest, single family to the east and a major thoroughfare to the south, beyond which there is conventional single family (see existing land use map). It is the applicant's intent to provide a reasonable transition across the site from west to east.

- c. Internal vehicular circulation systems will be provided by an extension of NW 38th Drive through the site from NW 16th Boulevard. This major collector road for the site will have 60 feet of right-of-way and be constructed to City transportation department's specifications. Secondary access to the residential development will be provided by an emergency access coming off of NW 41st Street and be constructed to the previously mentioned standards. Access to the professional office area will be provided between the intersection of NW 40th Terrace and NW 39th Drive on NW 16th Boulevard. Access to the multi-family area will be via 41st Street, which connects to NW 16th Boulevard and NW 43rd Street. The following trip generation is proposed:

Page 4

<u>UNIT TYPE</u>	<u>NO. OF UNITS</u>	<u>TRIPS/ DAY/ UNIT*</u>	<u>TOTAL TRIPS/ DAY</u>
Multi-Family	32	6.1	195
Patio Homes	72	5.6	403
Single Family	61	10.0	610
Office	78,000 sq. ft.	11.7/1000 sq. ft.	<u>913</u>

Total trips for planned development 2121

Evaluation of major arterial collector road serving proposed
P.D. - 16th Boulevard

.Design capacity of 16th Boulevard - 25,400 trips/day

.Recent count on 16th Boulevard - 14,500 trips/day

.Unused capacity of 16th Boulevard - 10,900 trips/day

Bicycle/Pedestrian circulation will be connected to the existing public system located on 16th Boulevard. The proposed system will provide access through the development and provide an alternative means of transportation for the users of this development (see master plan).

d. (1) Total acreage - 56.21

(2) Maximum building coverage - 15%

(3) Maximum impervious ground cover - 30%

(4) Residential density - 3.48 DU/AC
(total site 56.21 less 8.9 AC/office = 47.31 AC divided
into 165 units)

(5) Residential development

Single Family 61 units - 20.82 AC

Multi-Family 32 units - 2.08 AC - 16 DU/AC

Patio Homes 72 units - 14.29 AC 5.04 DU/AC

(*) Source: City of Gainesville Transportation Department

(6) Professional office development

Maximum development - 78,000 sq. ft. - O-1 use - 8.9 AC

(7) Residential development - 47.31 AC

Professional office - 8.9 AC

Road R.O.W. - 4.75 AC

(8) Planned recreation - 97,138 sq. ft. - 3.9%

e. All drainage will be retained on site in small retention/detention areas. These areas will be utilized throughout the site to control storm run-off and to allow for natural on-site percolation. All facilities will meet city specifications.

f. A landscape plan will be included for each phase of development, except for individual single family lots, as it is submitted for final site plan approval. In all instances, as many of the existing trees as possible will be retained.

9. All streets, walks, and parking areas will meet the City Transportation Department's standards.

h. Construction of the residential development will probably occur over a five to seven-year/phase period, which would allow the construction of 25-35 residential units per year/phase. Development of the professional office area would not occur until 50 percent of the residential units are built.

Construction will begin at the residential entry point on 16th Boulevard and proceed north. Construction will begin late 1982 and end in 1990.

FOXFIELD LEGAL DESCRIPTION

A tract of land situated in Section 26, T9S, R19E, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the S.E. corner of the S.W. 1/4 of said Section 26, T9S, R19E and run N 89°54'06"W, along the south line of said Section 26, a distance of 82.50 feet to the Point of Beginning; thence continue N 89°54'06"W, along said south line 950.00 feet; thence run N 00°26'41"W, parallel to the east line of the said S.W. 1/4, 630.00 feet; thence run N 89°33'19"E, 140.00 feet; thence run N 00°26'41"W, parallel to the east line of the said S.W. 1/4, 800 feet more or less to the centerline of creek; thence run northeasterly, along the centerline of said creek, 1040 feet more less to a point lying 82.50 feet west of the east line of the said S.W. 1/4; thence run S 00°26'41"E, parallel to and 82.50 feet west of the said east line, 1913 feet more or less to the Point of Beginning.

And also including;

A tract of land situated in Section 35, T 9 S, R 19 E, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the N.W. corner of Section 35, T 9 S, R 19 E, and run S 89°54'06" E, along the north line of said Section 35, a distance of 1121.94 feet to the Point of Beginning; thence continue S 89°54'06" E, along said north line, 1168.35 feet; thence run S 00°16'01" W, 1117.75 feet to the northerly Right-of-Way line of N.W. 16th Blvd.; thence run N 64°09'45" W, along said northerly Right-of-Way line, 684.46 feet; thence run northwesterly along said Right-of-Way line with a curve concave northeasterly, said curve having a central angle of 02°13'33", a radius of 11409.16 feet, an arc of 443.22 feet and a chord bearing and distance of N 63°02'59" W, 443.20 feet; thence run N 61°56'12" W, along said Right-of-Way line, 168.96 feet; thence run N 00°18'42" W, 541.10 feet to the Point of Beginning,

The said tract of land including 56.21 acres more or less.

EXHIBIT "C"

1st Required Provision:

Either: The Developer shall complete all planned improvements upon the Common Areas or Properties prior to the issuance of a Certificate of Occupancy by the City of Gainesville and shall convey legal title to the Common Areas or Properties to a Homeowners Association or Condominium on or before [Designate Date]. The Homeowners Association or Condominium shall hold title to such Common Areas for the use and benefit of all Members of the Homeowners Association or Condominium and shall not alienate such title without the approval of all association members and all holders of institutional first mortgages upon the Units contained within the Property.

Or: The Developer shall complete all planned improvements upon the Common Areas prior to the issuance of a Certificate of Occupancy by the City of Gainesville and shall convey a proportional undivided interest in the Common Areas or Properties to the purchaser of any Unit contained within the Property.

2nd Required Provision:

Assessments shall be levied by the Homeowners Association or Condominium to be used exclusively for the purpose of promoting the recreation, health, safety, and welfare of the Owners of Units in the Property, and in particular for the improvement and maintenance of properties, services, and facilities devoted to the purpose and related to the use and enjoyment of the Common Areas or Properties and of the Units situated upon the Property, including, but not limited to the following:

- (a) Lighting, improvement, maintenance, and beautification of access ways, streets, and easement areas, and the acquisition, maintenance, repair and replacement of directional markers and signs and traffic control devices, and costs of controlling and regulating traffic on the access ways, which are the responsibility of the Homeowners Association or Condominium.
- (b) Maintenance, improvements, and operation of drainage easements and systems.

- (c) Management, maintenance, improvement, and beautification of recreation areas and facilities, the Common Areas, and all common open spaces, including the landscaping and maintenance thereof in a neat and orderly fashion;
- (d) Garbage collection and trash and rubbish removal;
- (e) Doing any and all things necessary or desirable, in the judgment of said Homeowners Association or Condominium to keep the Property neat and attractive or to preserve or enhance the value of the properties therein, or to eliminate fire, health, or safety hazards, or, which in the judgment of said Homeowners Association or Condominium, may be of benefit to the owners or occupants of lands included in the Property;
- (f) Doing any and all other things which may be required by the Homeowners Association or Condominium to do, or which may be necessarily implied, by any other provision of this Ordinance.

3rd Required Provision:

The Developer hereby acknowledges and declares that the Property has been rezoned by the City of Gainesville to a Planned Development District Classification as provided in Chapter 29A, Zoning Code of the City of Gainesville. In accordance with said Ordinance, the Developer hereby agrees, and each subsequent Owner of a Lot or Unit in the Property, by acceptance of his deed, likewise agrees, that the City of Gainesville shall have the discretionary right, but not the duty, to enter in and upon all of the Common Areas or Properties and perform such necessary maintenance on all of such Common Areas or Properties to reasonably keep such land in a neat and orderly condition upon default of the Homeowners Association or Condominium to do so under its obligations as required herein. In such event, each Lot or Unit Owner shall be responsible for an equal share of any costs incurred by the City. The costs incurred by the City shall constitute a lien on all of the Properties, enforceable as other public improvement liens, and shall bear interest at the rate of 8% per annum until paid.

FOXFIELD PLANNED DEVELOPMENT

ORDINANCE No. 2757

SEPTEMBER 13, 1982

ORDINANCE NO. 2757
0-82-100

AN ORDINANCE OF THE CITY OF GAINESVILLE,
FLORIDA, AMENDING ORDINANCE NO. 2743,
MAKING CERTAIN AMENDMENTS TO SECTION 4
OF THE ORDINANCE RELATING TO THE
CONDITIONS, RESTRICTIONS AND REGULATIONS
WHICH APPLY TO THE DEVELOPMENT AND USE
OF THE LAND; PROVIDING A SEVERABILITY
CLAUSE; PROVIDING A REPEALING CLAUSE;
AND PROVIDING AN IMMEDIATE EFFECTIVE
DATE.

OK
on 2743
at 3021

WHEREAS, the City Commission on July 26, 1982, duly
adopted Ordinance No. 2743 rezoning certain lands within
the City to the new zoning classification of "PD" (Planned
Development); and

WHEREAS, Section 4 of Ordinance No. 2743 sets forth
certain conditions, restrictions and regulations which
apply to the development and use of the land described
therein; and

WHEREAS, the City Commission desires to make certain
amendments to those conditions, restrictions, and regulations
which apply to the development and use of the land as fully
set forth herein; and

WHEREAS, pursuant to law at least fifteen (15) days
notice has been given once by publication in a newspaper
of general circulation notifying the public of this proposed
ordinance and of a Public Hearing in the A. Clarence O'Neill
Auditorium of the Municipal Building of the City of
Gainesville; and

CODE: Except for whole sections added or deleted as indicated
in the text, words in ~~struck-through~~ type are deletions from
existing law; words in underscored type are additions.

WHEREAS, a Public Hearing was held pursuant to the published notice described above at which hearing the parties in interest and all others had an opportunity to be and were in fact heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

Section 1. Paragraphs 6 and 11 of Section 4 of Ordinance No. 2743 are amended to read:

- 6) Prior to the issuance of any certificate of occupancy for any building or structure, there shall be dedicated to the City of Gainesville, Florida, its successors and assigns, for the use and benefit of the public, that certain sixty (60) foot right-of-way as indicated in the development plan which shall be installed and constructed in accordance with City specifications and at no expense to the City. Such road construction may be phased in accordance with the phasing plan provided such phased construction meets the approval of the Director of Public Works and the Planning Manager of the Department of Community Development.
- 11) ~~No office-building-permits-shall-be-issued-until at-least-ten-percent-of-the-detached-single-family~~

CODE: Except for whole sections added or deleted as indicated in the text, words in ~~struck-through~~ type are deletions from existing law; words in underscored type are additions.

dwelling-units-are-three-quarters-(3/4)-completed,
building permit shall be issued for any building
on the land designated "professional offices"
unless and until:

- a) Ten percent of the buildings on the land
designated "single-family lots" have been
issued building permits; and
- b) All open wall inspections have been completed
on at least ten percent of said buildings on
the "single family lots."

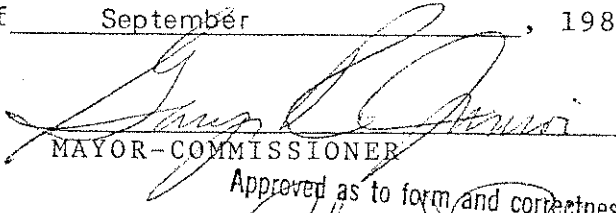
Section 2. Except as herein above modified, the provisions of Ordinance No. 2743 shall remain in full force and effect.

Section 3. If any portion of this ordinance is held to be invalid or unenforceable by any court of competent jurisdiction, then such shall not be deemed to affect the remaining portions of this ordinance.


Section 4. All ordinances, or parts of ordinances, in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 5. This ordinance shall become effective immediately upon its final adoption.


DATED this 13th day of September, 1982.


MAYOR-COMMISSIONER

ATTEST:


CLERK OF THE COMMISSION

Approved as to form and correctness

By 
J. T. Frankenberger, City Attorney
City of Gainesville, Florida

JUL 29 1982

CODE: Except for whole sections added or deleted as indicated in the text, words in ~~struck-through~~ type are deletions from existing law; words in underscored type are additions.

This Ordinance passed on first reading this 30th day
of August, 1982.

This Ordinance passed on second and final reading this
13th day of September, 1982.

CODE: Except for whole sections added or deleted as indicated
in the text, words in ~~struck-through~~ type are deletions from
existing law; words in underscored type are additions.

FOXFELD PLANNED DEVELOPMENT

ORDINANCE No. 3221

MAY 12, 1986

ORDINANCE NO. 3221
0-86-26

AN ORDINANCE OF THE CITY OF GAINESVILLE FLORIDA, AMENDING ORDINANCE NO. 2743 WHICH REZONED CERTAIN PROPERTY TO PLANNED DEVELOPMENT, COMMONLY KNOWN AS "FOXFIELD, A PLANNED DEVELOPMENT", LOCATED IN THE VICINITY OF N.W. 39TH DRIVE AND N.W. 16TH BOULEVARD; INCORPORATING REVISED DEVELOPMENT PLAN MAPS; PROVIDING AMENDMENTS TO THE DEVELOPMENT PLAN REPORT; PROVIDING AMENDMENTS TO OTHER REGULATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City Plan Board authorized the publication of notice of a public hearing to amend the Development Plan of the Planned Development, commonly known as "Foxfield, A Planned Development"; and

WHEREAS, notice was given and publication made as required by law on June 24, 1986 and Public Hearings was held on July 19, August 15, and September 19, 1985 and

WHEREAS, notice was given and publication made on June 24, 1985 of Public Hearing which was then held by the City Commission on August 5, 1985 and October 7, 1985; and

WHEREAS, pursuant to law at least ten (10) days

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3 notice has been given once by publication in a newspaper
4 of general circulation notifying the public of this
5 proposed ordinance and of a Public Hearing in the A.
6 Clarence O'Neill Auditorium of the Municipal Building of
7 the City of Gainesville; and

8 WHEREAS, pursuant to law notice has been given by
9 mail to each real property owner whose land will be
10 affected by the change in permitted use by enactment of
11 this Ordinance at least ten (10) days prior to the date
12 set for the public hearing; and

13 WHEREAS, a Public Hearing was held pursuant to the
14 published and mailed notice described above at which
15 hearing the parties in interest and all others had an
16 opportunity to be and were, in fact, heard.

17 NOW, THEREFORE, BE IT ORDAINED BY THE CITY
18 COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

19 Section 1. That Section 3 of Ordinance No. 2743,
20 which adopted the Development Plan, is amended as
21 follows:

22 (a) the six (6) page development plan report
23 identified as Exhibit "A" in Ordinance No. 2743
24 is amended by the four (4) page development
25 plan report entitled "Foxfield Planned
26 Development Amendment" dated July 26, 1985,
27 revised July 17, 1985 and December 2, 1985, a
28

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3 copy of which is attached hereto as Exhibit "1"
4 and incorporated herein as if set forth in
5 full;

6 (b) the existing land use map, existing zoning map,
7 topography map, soils map, vegetation map, land
8 use map and landscaping plan, all identified as
9 Composite Exhibit "B" in Ordinance No. 2743,
10 are amended by the adoption of a new "Master
11 Plan" prepared by Richard D. Tarbox, and by the
12 adoption of a new subdivision plan, prepared by
13 Richard D. Tarbox dated June 17, 1985, which
14 are attached hereto as Composite Exhibit "2"
15 and incorporated herein as if set forth in
16 full; are adopted herein and made a part
17 hereof. The terms and provisions of the
18 development plan report and maps, identified as
19 Exhibits "A" and "B" in Ordinance No. 2743,
20 shall remain in full force and effect and shall
21 regulate the development of the property
22 described in Section 1 of Ordinance No. 2743,
23 except and only insofar as such terms and
24 provisions are modified and amended by the
25 terms and provisions of the development plan
26 report and maps adopted herein and identified
27 as Exhibits "1" and "2" of this amendatory
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3 Ordinance.

4 Section 2. That Section 4 of Ordinance No. 2743,
5 which applied certain conditions, restrictions and
6 regulations to the development and use of the land, is
7 amended as follows:

8 (a) Subsection (5) of Section 4 of Ordinance No.
9 2743 is amended to read:

10 "5) Prior to the transfer of any real property
11 designated "patio homes", or of the
12 improvements constructed thereon, there shall
13 be recorded in the public records of Alachua
14 County, Florida, either an effective
15 declaration of condominium or other effective
16 restrictive covenants containing provisions
17 substantially the same as those attached
18 hereto as Exhibit "C";"

19 (b) Subsection (9) of Section 4 of Ordinance No.
20 2743 is amended to read;

21 "9) No certificate of occupancy shall be
22 issued for any office building or structure
23 located on lots 1 through 6 as shown on
24 Composite Exhibit "2" of the amendatory
25 Ordinance unless and until "approved" turn
26 lanes are constructed and completed on N.W.
27 16th Boulevard at no expense to the City;"
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3 (c) Subsection (10) of Section 4 of Ordinance No.
4 2743 relating to the private roadway system is
5 deleted in its entirety.

6 (d) Subsection (12) of Section 4 of Ordinance No.
7 2743 is amended to read:

8 "12) The landscaping and parking areas for
9 each detached building on the land designated
10 "patio homes" shall be installed and completed
11 prior to the issuance of a certificate of
12 occupancy for any unit within such building;

13 Section 3. Except as expressly provided and
14 amended herein, the provisions of Ordinance No. 2743
15 shall remain in full force and effect, and shall
16 regulate the use and development of the land described
17 in Ordinance No. 2743.

18 Section 4. If any section, sentence, clause or
19 phrase of this Ordinance is held to be invalid or
20 unconstitutional by any Court of competent jurisdiction,
21 then said holding shall in no way affect the validity of
22 the remaining portions of this Ordinance.

23 Section 5. All ordinances, or parts of ordinances,
24 in conflict herewith are, to the extent of such
25 conflict, hereby repealed.

26 Section 6. This Ordinance shall become effective
27 immediately upon final adoption.

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4 DATED this 12th day of May, 1986
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8 MAYOR-COMMISSIONER

9 ATTEST:

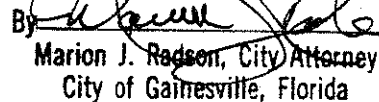
10 
11 CLERK OF THE COMMISSION

12
13 This ordinance passed on first reading this
14 5th day of May, 1986.

15 This ordinance passed on second and final reading
16 this 12th day of May, 1986

17 MJR:kb
18
19

20 Approved as to form and correctness

21 By 
22 Marion J. Radson, City Attorney
23 City of Gainesville, Florida

24
25
26
27
28 MAY 14 1986

June 26, 1985
Revised: July 17, 1985
Revised: December 02, 1985

FOXFIELD PLANNED DEVELOPMENT AMENDMENT

Prepared for: DR. & MRS. CHARLES PINKOSON
c/o 4131 N.W. 28th Lane
Gainesville, FL 32606

Prepared by: RICHARD D. TARBOX (Agent)
Planning and Design Consultant
4131 N.W. 28th Lane
Gainesville, FL 32606

This Planned Development Amendment concerns only the professional offices portion of the original Foxfield Planned Development. All other uses or areas of the Planned Development are to remain as presently recorded with the City of Gainesville.

The request made in this amendment application is:

1. A change in design of the professional office area, and

The original planned unit development anticipated the entire property being developed as a condominium office complex. Since the original plan was proposed over three years ago the demand for condominium offices has declined sharply. Therefore this amendment requests that a single cul-du-sac be permitted off 16th Boulevard which would provide the only access to individual office lots. Each lot would be required to present a site plan for approval at the time of development. The site plans would each take into account the necessary retention of storm water and appropriate landscaping.

The original planned unit development allowed the professional offices to conform to 0-1 zoning uses with 0-2 zoning dimensional requirements. This is to be retained.

The original master plan shows a fifty (50) foot buffer where the offices area adjoins the residential area. This buffer would be retained. In addition, a six foot high wooden fence has been constructed on the property line between the single family residential area to the east and the buffer area to the west.

Development standards in addition to the 0-1 and 0-2 standards mentioned above would be as follows:

1. The maximum number of square feet of leasable space permitted on each lot would be no more than 10,000 square feet per acre. In the instances where lots are smaller than one acre the same ratio of floor space to land area would be maintained.

2. No more than 30% of the total leasable area on any one lot or in any one building would be permitted on the second floor. Two story construction is only allowed on lots 4, 5 and 6. The maximum height of 35 feet would be retained.
3. All vehicular access would be via the proposed cul-du-sac. Office lots #1 and #6 would not have direct vehicular access to N.W. 16th boulevard.
4. Due to the office nature of this project, no common open space is proposed in this phase of the entire PUD.
5. The Declaration of Restrictions will control architectural expressions for the proposed lots. This Declaration of Restrictions will be recorded with the subdivision plat.
6. Roadway storm water management is to be designed and constructed to City standards and will be incorporated into the road right of way and dedicated to the City.
7. The final road alignment will take into account major trees or tree groupings. Minor shifts in the road alignment to accommodate these trees will be allowed.
8. A left turn lane to the north on N.W. 16th Boulevard at N.W. 40th Court will be provided.
9. Each individual lot will be required to obtain site plan approval from the City. These site plans will address stormwater quality control for each lot. Also, a tree survey will be provided along with the site plan.
10. All public services and facilities shall be supplied to the Planned Development in accordance to City standards.

AMENDED DEVELOPMENT PLAN REPORT

- A. Providing a mix-use transition zone between existing conventional single family residences to the east and the commercial and office uses of the Thornebrook area to the west (from 41st Street to 43rd Street) is still maintained by the P. D. after this amendment.
- B. Internal vehicular circulation system of the professional offices will have access to N.W. 16th Boulevard at the intersection of N.W. 40th Street. This main access to the professional offices will be a curb and gutter street built to City Traffic Engineering standards. It will be sited in a 50 foot R.O.W. and dedicated to the City. This main professional office access will be a 550 foot cul-de-sac. Bicycle circulation will be along the street.

C.

<u>UNIT TYPE</u>	<u>NO. OF UNITS</u>	<u>TRIPS/ DAY/ UNIT*</u>	<u>TOTAL TRIPS/ DAY</u>
Multi-Family	32	6.1	195
Patio Homes	72	5.6	403
Single Family	61	10.0	610
Office	91,400 sq ft.	11.7	1,069

1,000 sq. ft.

Total trips for the Planned Development	2,277
- Design capacity of 16th Boulevard	25,400 trips/day*
- Recent traffic count on 16th Boulevard	19,800 trips/day*
- Unused capacity of 16th Boulevard	5,600 trips/day

- D.
1. Total Acreage 56.2 acres
 2. Maximum building coverage 15%
 3. Maximum impervious ground cover 30%
 4. Residential density 3.48 d.u.s./acre
 5. Residential development

Single Family	61 units
Multi-Family	32 units
Patio Homes	72 units
 6. Professional office development
91,400 sq. ft. - 0-1 use - 9.8 acres
 7. Residential development acreage 46.4 acres
Professional offices 9.8 acres
Road R.O.W. 5.5 acres
 8. Planned recreation - 97,138 sq. ft. 3.9%

- E. Storm water retention and/or detention and associated transmission facilities shall be required to meet water quality standards of the Florida Department of Environmental Regulation and to control the discharge rate of a 25 year - 24 hour design storm as required by the City Engineer. Dimensions and locations of the required storm water facility will be established during the design/plat process.

The site, in most instances, is composed of deep, well perculating sands. The first 1/2 inch of runoff should be easily accommodated by perculation.

- F. A landscape plan will be necessary for each individual professional office lot. In all instances, existing trees will be retained whenever possible. The professional office portion of the P. D. is vegetated in planted pines. Retaining hardwood species should take priority over the pines.
- G. All streets, walks, and parking areas will meet City of Gainesville standards.
- H. Lighting for the professional office portion will meet City of Gainesville standards.
- I. The Planned Development's emergency access for residential areas has already been installed.
- J. Construction will begin within 12 months of final site approval and will be complete by 1990.

* Source: City of Gainesville Traffic Engineering Department

ORDINANCE NO. 3221

ADOPTED May 12, 1986

EXHIBIT Composite "2"

SEE

FOLDER

LABELLED

SUPPLEMENT TO

ORDINANCE BOOK NO. 38

Exhibit E

Modified Ordinance and PD Report

PB-11-2 PDA
Foxfield (old Crown Point)

RECEIVED
JAN 10 2011
PLANNING
DIVISION

are incorporated herein and made a part of this ordinance as if set forth in full. The terms, conditions, and limitations of the Development Plan shall regulate the use and development of the land described herein zoned to the classification of Planned Development as provided in Chapter 29A, Zoning Code of the City of Gainesville.

Section 4. The following conditions, restrictions and regulations shall also apply to the development and use of the land described herein.

1) The permitted uses and development standards shall be as shown on attached Exhibit D.

- 1) ~~Except as expressly provided in Section 3 of this Ordinance, the use of the land described herein and designated "professional offices" in the development plan map shall be governed as if this land were zoned "O-1, Limited Office District," and the development of such land shall be governed as if it were zoned "O-2, General Office District";~~
- 2) Except as expressly provided in Section 3 of this Ordinance the use and regulation of the land described herein and designated "RMF-8" for multi-family use in the development plan map shall be governed as if this land were zoned "RMF-8; 20-30 units/acre Multiple Family Residential District;"
- 3) Except as expressly provided in Section 3 of this Ordinance, the use and regulation of the land described herein and designated "patio

Exhibit D

Permitted uses, OF (general office district).

SIC	Use	Conditions
	USES BY RIGHT:	
	Any accessory uses customarily and clearly incidental to any permitted use	
	Compound uses	
	Correspondence schools	
	Day care center	In accordance with article VI
	Newspaper establishments excluding on-site printing or warehouse facilities	
	Personal fitting and sale of prosthetic or orthopedic appliances	
	Places of religious assembly	In accordance with article VI
	Professional schools	Cannot be located adjacent to property designated for single family on the future land use map of the comprehensive plan
	Public services vehicles	In accordance with article VI
	Residential uses up to 20 units per acre	
	Sales offices without warehousing, showrooms or retail space	
	Exercise studio	Only in an enclosed building
GN-074	Veterinary services	In accordance with article VI
GN-078	Landscape and horticultural services	Offices only, outdoor storage prohibited
MG-15	Building construction - General contractors and operative builders	Offices only
MG-43	U.S. Postal Service	
GN-472	Arrangement of passenger transportation	Offices only, with no operation of passenger tours from the site
MG-48	Communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI
GN-591	Drug stores and proprietary stores	Only when accessory to and in the same building as health services or offices of physicians, dentists and other health practitioners
Div. H	Finance, insurance and real estate	Excluding cemetery subdividers and developers (IN-6553)
MG-72	Personal services	Funeral services and crematories (GN-726) provided the requirements of article VI are met
MG-73	Business services	Excluding heavy construction equipment and leasing (IN-7353) and disinfecting and pest control services (IN-7342)
GN-801 through 805	Health services	Nursing and intermediate care facilities in accordance with article VI

GN-807 through 809	Medical and dental laboratories, home health care services and miscellaneous health and allied services not elsewhere classified	Excluding blood banks (see uses by special use permit)
MG-81	Legal services	
GN-839	Social services not elsewhere classified	
MG-86	Membership organization	Excluding GN-864, civic, social and fraternal associations
MG-87	Engineering, accounting, research, management and related services	Excluding IN-8734, testing laboratories, and IN-8744, facility support management services
MG-94, 95 and 96	Public administration	
	USES BY SPECIAL USE PERMIT	
	Bed and breakfast establishment	In accordance with article VI
	Blood banks	Must have a two acre minimum lot size
	Food distribution center for the needy	In accordance with article VI
	Private schools	In accordance with article VI
	Public schools, other than institutions of higher learning	In accordance with the provisions of section 30-77, educational services district (ED)
	Rehabilitation centers	In accordance with article VI
	Residences for destitute people	In accordance with article VI
	Retransmission and microwave towers	Accessory transmission at heights higher than 100 feet in accordance with article VI
GN-832	Individual and family social services during daylight hours only	Excluding adult day care centers, multi-service centers (neighborhood), temporary relief services, social service centers (e.g., Salvation Army, etc.) and youth centers

RICHARD D. TARBOX

PLANNING AND DESIGN CONSULTANT

RECEIVED

December 16, 1982
(Revised - February 24, 1982)
(Revised - May 25, 1982)

MAY 26 1982

PLANNING
DIVISION

FOXFIELD PLANNED DEVELOPMENT

Prepared For: DR. & MRS. CHARLES PINKOSON
c/o 2727 N. W. 43rd Street
Gainesville, FL 32606

Prepared by: RICHARD D. TARBOX (Agent)
Planning and Design Consultant
2727 N. W. 43rd Street
Gainesville, FL 32606

1. Legal Description (attached)
2. Existing Conditions Maps (see attached site analysis)
3. Development Plan Map (see Master Plan)

- a. Development will have four land uses: (1) Professional offices which will conform to O-1 uses and dimensional requirements as listed in O-2; (2) Apartments which will conform to RMF-8 zoning; (3) Patio Home Development which will conform to RMF-6 zoning, and (4) Single Family Residences which will conform to RSF-1 zoning. Ownership for the Patio Home units will be in a condominium association. Single Family Homes will be on individual lots and conveyed by conventional means. The office area on the west side of the project will be either condominium or rental units, depending on the economic conditions at the time of their construction. Since the offices are in the later phase of development, it is not possible to determine the ownership of the units at this time.
- b. The main vehicle access comes from NW 16th Boulevard at the intersection of NW 38th Drive. A 60-foot road right-of-way (dedicated) will provide major vehicle circulation throughout the project with private driveways providing access to the residential clusters and individual residential units. The 60-foot road R.O.W. will come into the site approximately 2000 feet to a rondel and then continue another 700 feet to a cul-du-sac (see Master Plan).

4. Development Plan Report

- a. The intent and purpose of the planned development is to provide a mix-use transition zone between existing conventional single family residences and future office and commercial development. Also, it is intended to develop alternative housing types which will provide more efficient use of the site and provide better housing opportunities to the general public.
- b. Proposed internal land use is to be a mixture of professional offices in the SW corner of the site and the remaining area to be made up of residential units. There is one existing single family residence to remain on site. All proposed residences will be multi-family, patio home and single family in character and will be sold as condominium units (patio homes), rental (multi-family) units, and fee simple conventional ownership (single family). All land will be owned and maintained by the owner or an owners' association.

It is the intent of the mixed internal land-use to act as a stepping down mechanism between different external land uses. Land uses will transcend from medium use of the professional offices on the west, to a lower intensity use of single family to the east and north. External land uses abutting the site include AP(h) uses to the extreme west, R-3 multi-family to the northwest, single family to the east and a major thoroughfare to the south, beyond which there is conventional single family (see existing land use map). It is the applicant's intent to provide a reasonable transition across the site from west to east.

- c. Internal vehicular circulation systems will be provided by an extension of NW 38th Drive through the site from NW 16th Boulevard. This major collector road for the site will have 60 feet of right-of-way and be constructed to City transportation department's specifications. Secondary access to the residential development will be provided by an emergency access coming off of NW 41st Street and be constructed to the previously mentioned standards. Access to the professional office area will be provided between the intersection of NW 40th Terrace and NW 39th Drive on NW 16th Boulevard. Access to the multi-family area will be via 41st Street, which connects to NW 16th Boulevard and NW 43rd Street. The following trip generation is proposed:

(6) Professional office development

Maximum development - 78,000 sq. ft. - O-1 use - 8.9 AC

(7) Residential development - 47.31 AC

Professional office - 8.9 AC

Road R.O.W. - 4.75 AC

(8) Planned recreation - 97,138 sq. ft. - 3.9%

e. All drainage will be retained on site in small retention/detention areas. These areas will be utilized throughout the site to control storm run-off and to allow for natural on-site percolation. All facilities will meet city specifications.

f. A landscape plan will be included for each phase of development, except for individual single family lots, as it is submitted for final site plan approval. In all instances, as many of the existing trees as possible will be retained.

9. All streets, walks, and parking areas will meet the City Transportation Department's standards.

h. Construction of the residential development will probably occur over a five to seven-year/phase period, which would allow the construction of 25-35 residential units per year/phase. Development of the professional office area would not occur until 50 percent of the residential units are built.

Construction will begin at the residential entry point on 16th Boulevard and proceed north. Construction will begin late 1982 and end in 1990.

EXHIBIT "C"

1st Required Provision:

Either: The Developer shall complete all planned improvements upon the Common Areas or Properties prior to the issuance of a Certificate of Occupancy by the City of Gainesville and shall convey legal title to the Common Areas or Properties to a Homeowners Association or Condominium on or before [Designate Date]. The Homeowners Association or Condominium shall hold title to such Common Areas for the use and benefit of all Members of the Homeowners Association or Condominium and shall not alienate such title without the approval of all association members and all holders of institutional first mortgages upon the Units contained within the Property.

Or: The Developer shall complete all planned improvements upon the Common Areas prior to the issuance of a Certificate of Occupancy by the City of Gainesville and shall convey a proportional undivided interest in the Common Areas or Properties to the purchaser of any Unit contained within the Property.

2nd Required Provision:

Assessments shall be levied by the Homeowners Association or Condominium to be used exclusively for the purpose of promoting the recreation, health, safety, and welfare of the Owners of Units in the Property, and in particular for the improvement and maintenance of properties, services, and facilities devoted to the purpose and related to the use and enjoyment of the Common Areas or Properties and of the Units situated upon the Property, including, but not limited to the following:

- (a) Lighting, improvement, maintenance, and beautification of access ways, streets, and easement areas, and the acquisition, maintenance, repair and replacement of directional markers and signs and traffic control devices, and costs of controlling and regulating traffic on the access ways, which are the responsibility of the Homeowners Association or Condominium.
- (b) Maintenance, improvements, and operation of drainage easements and systems.

Requested Modifications

The request is to amend the PD implemented by Ordinances 2743, 2757 and 3221 to modify the allowable uses as referenced in OR 3221 Section 3 and more specifically listed in OR 2743 Section 4, specifically pertaining to professional office as listed in Section 4.1. (See attached strikethrough and underlined of adopted ordinance).

Bases

In 1981, the applicant of the Fox Field PD filed a request to apply PD zoning to several large tracts of land, designating allowable uses as Offices and Residential. Over time, those properties have changed hands from a few to numerous owners. Some of those properties exist as legal individual lots, some jointly owned and others are under a condominium type ownership. Several of those owner transactions were approved by the city establishing the legality of the ownership changes. Given the multiplicity of ownership and interests, it is virtually impossible to obtain consensus or authorization from all property owners in order to change the PD.

The FoxField PD, regulated by Ordinances 2743, 2757 and 3221, was first adopted by the City Commission in 1982. The ordinances state that uses allowed in the PD are those allowed in O-1 and the development standards should comply with standards of the O-2 zoning district. At the time of adoption of the PD, the City's zoning and Development standards were regulated as Chapter 29 and the related zoning districts were OR-1, OR-2, O-1 and O-2. In 1992, the city changed the zoning districts (as it relates to Offices), OR-1 and OR-2 were combined to create OR and O-1 and O-2 were combined to create the OF zoning district.

The logical view is that the allowable uses of OR-1 and OR-2 were merged into the current OR and the allowable uses of the O-1 and O-2 were merged into the OF district. This is further substantiated by the fact that all uses allowed under O-1 and O-2 are also allowed under the current OF zoning district. However this situation is not clear in the area of emerging uses where none existed at the time of a PD adoption. One such use for consideration would be a small Pilates exercise studio. Such a use is not listed in the O-1 district but is allowed in the current OF; therefore placing the Planning Department in the difficult position of making the determination as to whether such a use should be allowed. In this example, this use is similar in character and intensity of several uses allowed in the O-1 and could arguably be considered as an allowable use under the terms of the PD Ordinance.

The requested modification to the Foxfield PD will allow those uses that are currently allowed in the City of Gainesville's OF office districts to be allowed in the Foxfield PD. This modification would be consistent with the city's actions in 1992 that changed the structure of the Office zoning district to OR and OF.

Minimum Requirement for Rezoning to PD

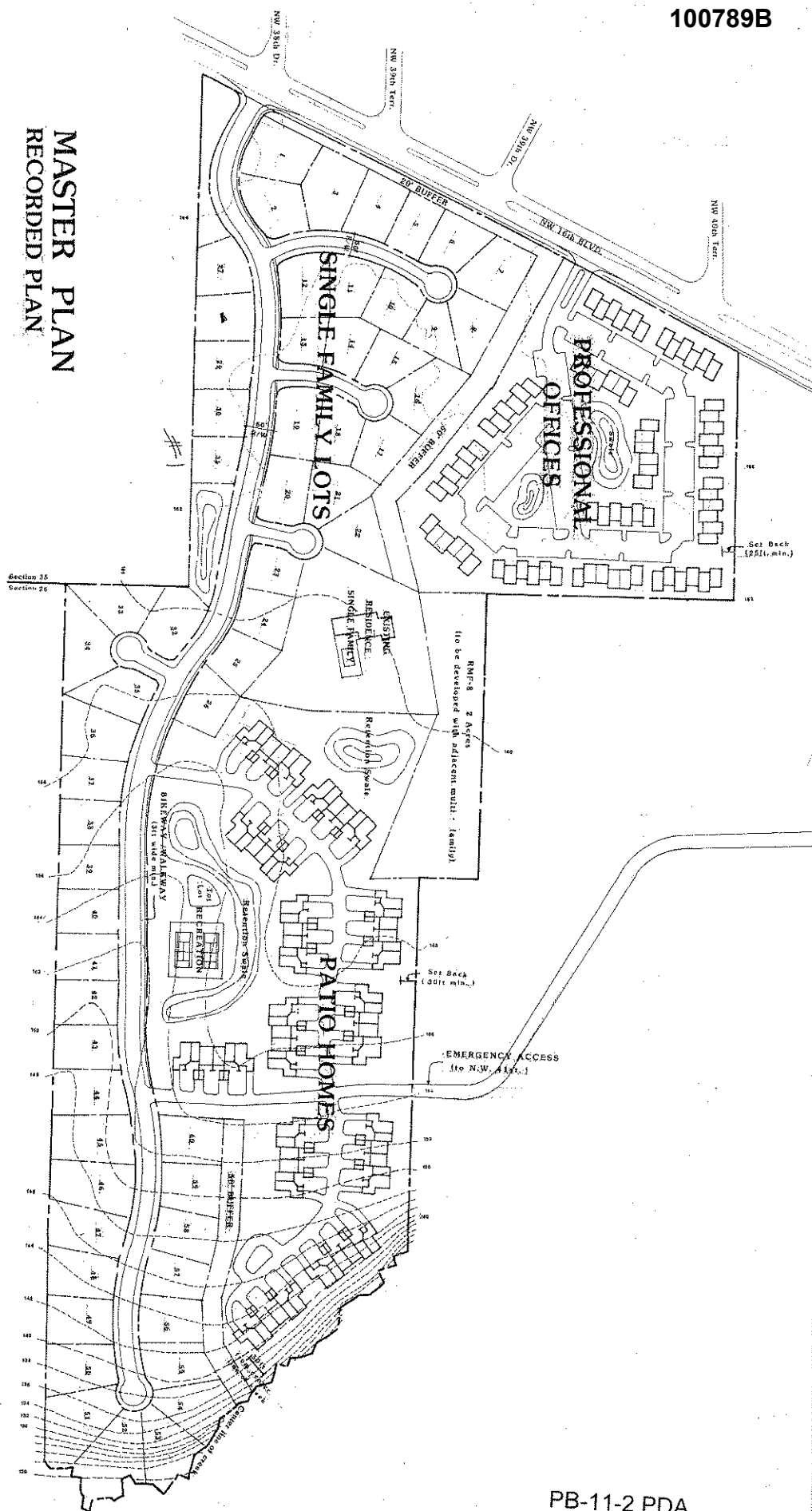
The property is already zoned PD and the minimum requirements of Section 30.213 have already been established. The proposed modification will not alter the justification requirements of the original PD.

Exhibit F

(PD Layout Maps)

PB-11-2 PDA
Foxfield (old Crown Point)

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112A-81PB

MASTER PLAN RECORDED PLAN

FOXFIELD A PLANNED DEVELOPMENT

PLANNED DEVELOPMENT
AMENDMENT

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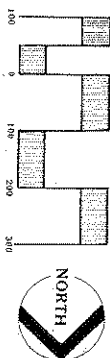
Prepared for : Dr. & Mrs. Charles Pinkoson

Gainesville, Florida

EXHIBIT 2, § 302 (b) (2) of the Florida
Statutes, Chapter 190, as amended, 1975
2/16/81 9/10/86

LAND USE

Units	Area	Density
1 Existing Residential Lot	2.14	.47 Du/Ac
60 Single Family Lots	18.68	3.21 Du/Ac
72 Patio Homes	14.29	5.03 Du/Ac
32 Multi - Family	2.08	16.00 Du/Ac
Professional Offices	8.90	78,000 Sqft.
Recreation / Retention	2.23	
Open Space / Buffer	3.14	
Road R.O.W.	4.75	
165 TOTAL	56.21	3.48 Du/Ac



Prepared by: Richard D. Tarbox

Planning & Design Consultant
Gainesville, Florida

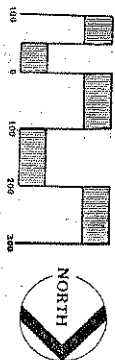
MASTER PLAN

FOXFIELD

A PLANNED DEVELOPMENT

Prepared for : Dr. & Mrs. Charles Pinkson
Gainesville, Florida

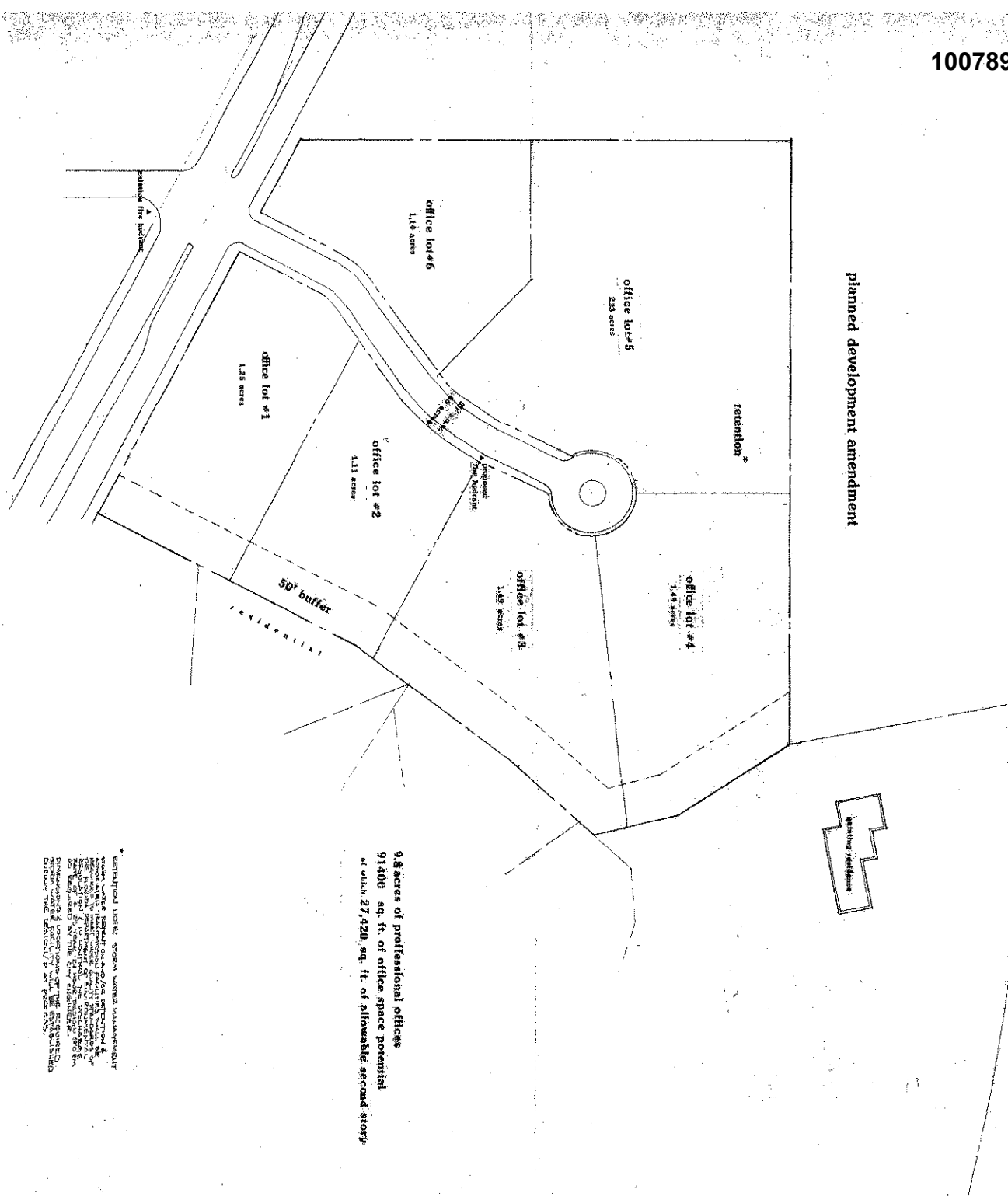
LAND USE			Density
Unit		Acreage	
1	Existing Residential Lot	2.14	.47 Du/Ac
60	Single Family Lots	18.68	3.21 Du/Ac
72	Patio Homes	14.29	5.03 Du/Ac
32	Multi - Family	2.08	16.00 Du/Ac
	Professional Offices	8.90	78,000 Sqft.
	Recreation / Retention	2.23	
	Open Space / Buffer	3.14	
	Road R.O.W.	4.75	
165	TOTAL	56.21	3.48 Du/Ac



Prepared by: **Richard D. Tarbox**
Planning & Design Consultant
Gainesville, Florida

PB-11-2 PDA
Foxfield (old Crown Point)

planned development amendment



* RETENTION POND: TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF GAINESVILLE, FLORIDA, CHAPTER 100, SECTION 100.05, F.A.C. 100.05(1)(a) AND (b). THE POND SHALL BE DESIGNED TO STORE AND TREAT RUNOFF FROM THE DEVELOPMENT AND ADJACENT AREAS. THE POND SHALL BE MAINTAINED IN A CLEAN AND SAFE CONDITION AT ALL TIMES. THE POND SHALL BE FENCED AND GATED TO PREVENT ACCESS BY THE PUBLIC. THE POND SHALL BE INSURED AGAINST POLLUTION AND OTHER RISKS. THE POND SHALL BE MONITORED AND MAINTAINED BY THE DEVELOPER OR HIS SUCCESSORS. THE POND SHALL BE RESTORED TO ITS ORIGINAL CONDITION IN THE EVENT OF A MAJOR DISASTER OR OTHER UNFORESEEN CIRCUMSTANCES. THE POND SHALL BE A PERMANENT FEATURE OF THE DEVELOPMENT AND SHALL NOT BE ABANDONED OR REMOVED WITHOUT THE WRITTEN APPROVAL OF THE CITY OF GAINESVILLE, FLORIDA.

112A-810B

PB-11-2 PDA
Foxfield (old Crown Point)

<p>FOUNDED 1790 DATE: 17 June 1985 REVISIONS:</p>	<p>FOXFIELD</p> <p>a planned development prepared for: Dr. and Mrs. Charles Pinkoson Gainesville, Florida</p>	<p>prepared by: Richard D. Tarbox Planning and Design Consultant 4131 NW 25th Lane Gainesville, Florida 904-377-1217</p>
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