

LEGISLATIVE #

120617F

Appendix D Application and Neighborhood Workshop information

C. DAVID COFFEY
ATTORNEY AT LAW

120617F

C. DAVID COFFEY, P.A.
david@dcoffeylaw.net

Haile Village Center
5346 S.W. 91st Terrace
Gainesville, FL 32608-4399
Tel. (352) 335-8442
Fax (352) 376-0026

October 15, 2012

Erik A. Bredfeldt, Director
City of Gainesville
Planning and Development Services Department
PO Box 490, Station 33
Gainesville, Florida 32602-0490

RE: 1961 N. Main Street Rezoning Application

Dear Mr. Bredfeldt:

Please find the attached rezoning application package and the check in the amount of \$2,929.50 for the rezoning application fee. The rezoning application package includes the following documents:

1. The City Plan Board Zoning Application;
2. An affidavit authorizing C. David Coffey, P.A. to submit the rezoning application;
3. The legal description of the subject property;
4. Directions to the site;
5. Property tax records;
6. The notice record and neighborhood workshop materials; and
7. A rezoning justification report.

Fourteen (14) copies of the application package are submitted for action by the City Plan Board and City Commission. Please contact me if any additional information is required for your review.

Sincerely,



C. David Coffey
Attorney at Law

Enclosures: As stated

Request for
Amendment to
Zoning Map

1961 N Main St

Submitted:
October 15, 2012

By: C. David Coffey, P.A.
Haile Village Center
5346 SW 91st Terrace
Gainesville, FL 32608
(352) 335-8442
(352) 376-0026 fax
david@dcoffeylaw.net

For: Bank of America
13850 Ballantyne Corp Pl
Charlotte, NC 28277

To: City of Gainesville, Florida

Table of Contents

- I. City Plan Board Zoning Application
- II. Property Owner Affidavit
- III. Legal Description
- IV. Directions to the Site
- V. Property Tax Records
- VI. Notice Record
- VII. Justification Report
 - A. Overview
 - B. Statement of Proposed Change
 - C. Consistency Analysis
 - D. Surrounding Land Uses
 - E. Impact Analysis

I. City Plan Board Zoning Application



APPLICATION—CITY PLAN BOARD
Planning & Development Services

OFFICE USE ONLY	
Petition No. _____	Fee: \$ _____
1 st Step Mtg Date: _____	EZ Fee: \$ _____
Tax Map No. _____	Receipt No. _____
Account No. 001-660-6680-3401 []	
Account No. 001-660-6680-1124 (Enterprise Zone) []	
Account No. 001-660-6680-1125 (Enterprise Zone Credit []	

Owner(s) of Record (please print)	
Name: Bank of America	
Address: 13850 Ballantyne Corp Place	
Charlotte, NC 28277	
Phone: (617) 434-5731	Fax: _____
(Additional owners may be listed at end of applic.)	

Applicant(s)/Agent(s), if different	
Name: C. David Coffey, P.A.	
Address: 5346 S.W. 91st Dr.	
Gainesville, FL 32608	
Phone: (352) 335-8442	Fax: (352) 376-0026

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

REQUEST		
Check applicable request(s) below:		
Future Land Use Map []	Zoning Map <input checked="" type="checkbox"/>	Master Flood Control Map []
Present designation: _____	Present designation: BA	Other [] Specify: _____
Requested designation: _____	Requested designation: BUS	

INFORMATION ON PROPERTY	
1. Street address: 1961 N. Main St	
2. Map no(s): _____	
3. Tax parcel no(s): 10072-002-000	
4. Size of property: 5.75 _____ acre(s)	
<i>All requests for a land use or zoning change for property of less than 3 acres are encouraged to submit a market analysis or assessment, at a minimum, justifying the need for the use and the population to be served. All proposals for property of 3 acres or more must be accompanied by a market analysis report.</i>	

Certified Cashier's Receipt:

5. Legal description (attach as separate document, using the following guidelines):
- a. Submit on 8 ½ x 11 in. sheet of paper, separate from any other information.
 - b. May not be included as part of a Purchase Agreement, Contract for Sale, Lease Agreement, Transfer of Title, Warranty Deed, Notice of Ad Valorem Taxes, Print-outs from Property Appraiser’s Office, etc.
 - c. Must correctly describe the property being submitted for the petition.
 - d. Must fully describe directions, distances and angles. Examples are: North 20 deg. West 340 feet (not abbreviated as N 20 deg. W 340’); Right-of-Way (not abbreviated as R/W); Plat Book (not abbreviated as PB); Official Records Book 1, page 32 (not abbreviated as OR 1/32); Section 1, Township 9 South, Range 20 East (not abbreviated as S1-T9S-R20E).

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

A. What are the existing surrounding land uses?

North

See Justification Report.

South

See Justification Report.

East

See Justification Report.

West

See Justification Report.

B. Are there other properties or vacant buildings within ½ mile of the site that have the proper land use and/or zoning for your intended use of this site?

NO

YES

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

Other properties are currently in use.

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

Residential streets

See Justification Report.

Noise and lighting

See Justification Report.

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

NO

YES

(If yes, please explain below)

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

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

NO

YES

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

NO

YES

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

Redevelopment

Activity Center _____

Strip Commercial _____

Urban Infill _____

Urban Fringe _____

Traditional Neighborhood _____

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

See Justification Report.

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

See Justification Report.

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

Roadways

See Justification Report.

Recreation

See Justification Report.

Water and Wastewater

See Justification Report.

Solid Waste

See Justification Report.

Mass Transit

See Justification Report.

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

NO

YES (please explain)

There are existing sidewalks and bike lane along the site boundary on N Main Street. RTS Route 15 provides transit access along NE 2nd Street.

CERTIFICATION

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

Owner of Record	
Name:	Bank of America
Address:	13850 Ballantyne Corp Place Charlotte, NC 28277
Phone: (617) 434-5731	Fax:
Signature:	

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

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

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

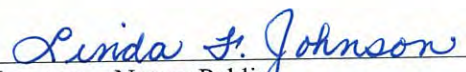
No person submitting an application may rely upon any comment concerning a proposed amendment, or any expression of any nature about the proposal made by any participant, at the pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in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

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


 Owner/Agent Signature
 10/15/12
 Date

STATE OF FLORIDA
COUNTY OF Alachua

Sworn to and subscribed before me this 15th day of October 2012, by (Name)
C. David Coffey



Signature – Notary Public

Personally Known OR Produced Identification (Type)



II. Property Owner Affidavit

PROPERTY OWNER AFFIDAVIT

Owner Name: <u>Bank of America</u>			
Address: <u>13850 Ballantyne Corp Place</u> <u>Charlotte NC 28277</u>		Phone: <u>617 434 5731</u>	
Agent Name: <u>C. David Coffey, Esq.</u>			
Address: <u>5346 SW 91st Terrace</u> <u>Gainesville, FL 32608</u>		Phone: <u>(352) 335-8442</u>	
Parcel No.: <u>10072-002-000</u>			
Acreage: <u>5.75</u>	S: <u>33</u>	T: <u>9</u>	R: <u>20</u>
Requested Action: <u>Rezoning from BA to BUS</u>			
<p>I hereby certify that: I am the owner of the subject property or a person having a legal or equitable interest therein. I authorize the above listed agent to act on my behalf for the purposes of this application.</p>			
Property owner signature: <u><i>Kathleen M. Luongo</i></u>			
Printed name: <u>Kathleen M. Luongo</u> <u>Vice President</u>			
Date: <u>10/4/12</u>			
<p>The foregoing affidavit is acknowledged before me this <u>4th</u> day of <u>Oct</u>, 2012, by <u>Kathleen Luongo</u>, who is/are personally known to me, or who has/have produced <u>—</u> as identification.</p>			
<p>NOTARY SEAL <u><i>Marlene M. Soto</i></u></p>			
<p>Signature of Notary Public, State of <u>MA</u>  MARLENE M. SOTO Notary Public, Commonwealth of Massachusetts My Commission Expires May 25, 2018</p>			

III. Legal Description

Legal Description

A tract of land situated in Lot 2 of McCOY'S COMMERCIAL PARK, a Subdivision as recorded in Plat Book "H", page 9, of the Public Records of Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the Southwest corner of said Lot 2 of McCOY'S COMMERCIAL PARK, and run North 25 deg. 40' 32" East along the East right-of-way line of North Main Street, 150.00 feet to the Point of Beginning; thence continue along the East right-of-way line of North Main Street, the following courses and distances; North 25 deg. 40' 32" East 258.70 feet; South 64 deg. 19' 28" East 15.00 feet; North 25 deg. 40' 32" East 10.00 feet; thence leave said right-of-way line and run South 64 deg. 19' 28" East 585.00 feet to the West right-of-way line of N.E. 2nd Street; thence run South 25 deg. 40' 32" West along said right-of-way line 156.89 feet; thence continue Southwesterly along said right-of-way line along a curve concave Southeasterly, said curve having a central angle of 03 deg. 44' 34", a radius of 1,944.86 feet, a length of 127.04 feet, and a chord bearing and distance of South 23 deg. 48' 15" West 127.02 feet; thence run North 68 deg. 04' 02" West 332.36 feet; thence run South 89 deg. 47' 21" East 30.46 feet; thence run North 25 deg. 40' 32" East 23.75 feet; thence run North 64 deg. 19' 28" West 300.00 feet to the Point of Beginning, said tract of land containing 3.879 acres more or less.

Parcel: 10072-002-000

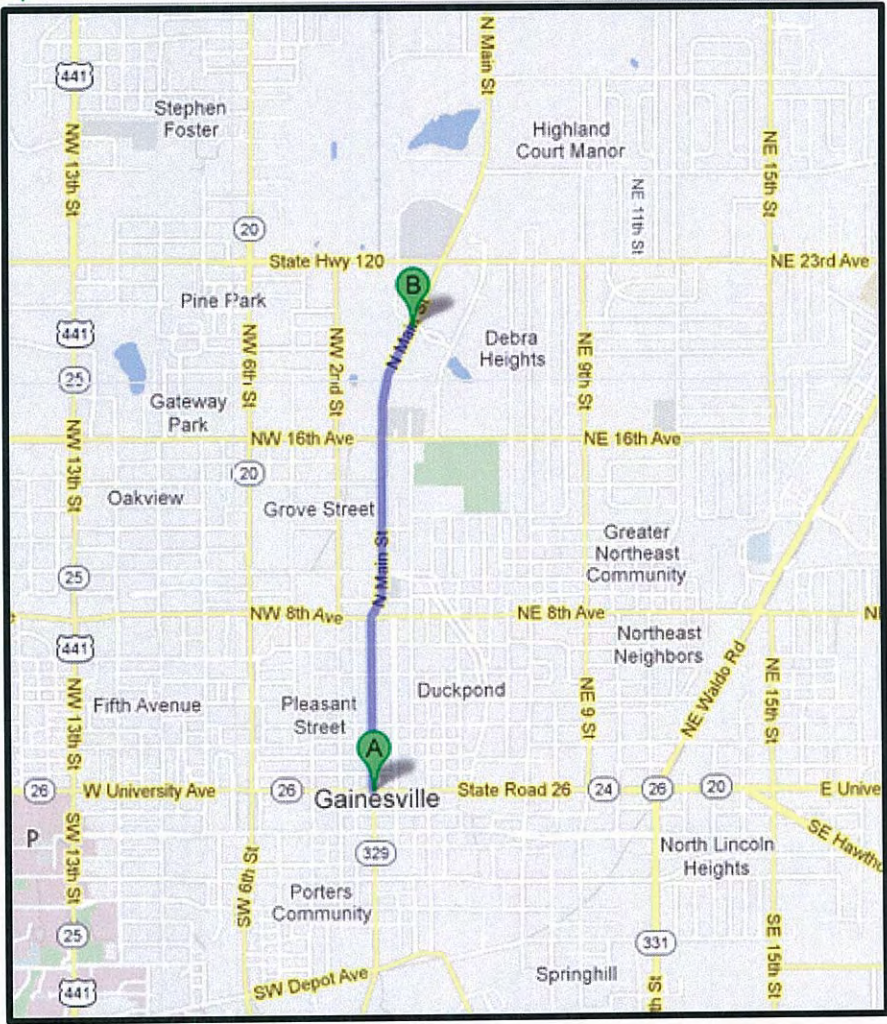
IV. Directions to the Site

Directions to Site

A W University Ave & S Main St, Gainesville, FL 32601

- 1. Head north on N Main St/NW State Road 20 W toward NE 1st Ave go 1.3 mi
Continue to follow N Main St total 1.3 mi
Destination will be on the right
About 3 mins

B 1961 N Main St, Gainesville, FL 32609



V. Property Tax Records

VON FRASER, CFC
ALACHUA COUNTY TAX COLLECTOR

2011 PAID REAL ESTATE
NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

ACCOUNT NUMBER	ESCROW CD	MILLAGE CD
10072 002 000		3600

No Personal or Business Checks for Delinquent Taxes.
Please Pay with Cash, Cashier's Check or Certified Funds Only.

1961 N MAIN ST

BANK OF AMERICA
% CORP REAL ESTATE ASSESSMENTS
NC1-001-03-81
101 N TRYON ST
CHARLOTTE, NC 28255

MCCOYS COMMERCIAL PARK PB H-9 LOT 2
LESS N 197.12 FT PER OR 8
See Additional Legal on Tax Roll

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION(S)	TAXABLE VALUE	TAXES LEVIED
BOARD OF COUNTY COMMISSIONERS					
CNTY DEBT LL (C01)	0.2500	1,895,300	0	1,895,300	473.83
CNTY GENERAL (C01)	8.5956	1,895,300	0	1,895,300	16,291.24
ALACHUA CNTY LIBRARY DISTRICT					
LIBRARY BONDS (L01)	0.1152	1,895,300	0	1,895,300	218.34
LIBRARY GENERAL (L01)	1.3638	1,895,300	0	1,895,300	2,584.81
SCHOOL BOARD OF ALACHUA COUNTY					
SCHL BOND 5 (S01)	0.3900	1,895,300	0	1,895,300	739.17
SCHL CAP27 PROJECT (S01)	1.5000	1,895,300	0	1,895,300	2,842.95
SCHL DISCRNRY & CN (S01)	0.7480	1,895,300	0	1,895,300	1,417.68
SCHL GENERAL (S01)	5.4540	1,895,300	0	1,895,300	10,336.97
SCHOOL VOTED (S01)	1.0000	1,895,300	0	1,895,300	1,895.30
ST JOHNS RIVER WATER MGT DISTR	0.3313	1,895,300	0	1,895,300	627.91
36 CITY OF GAINESVILLE	4.2544	1,895,300	0	1,895,300	8,063.36
TOTAL MILLAGE 24.0023					AD-VALOREM TAXES \$45,491.56

Please Retain this Portion for your Records.

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	UNIT	RATE	AMOUNT
R802 802 SOLID WASTE MGMT		@ 43.0700	43.07
T360 360 GAINESVILLE FIRE ASMT			540.59
NON-AD VALOREM ASSESSMENTS			\$583.66

COMBINED TAXES AND ASSESSMENTS \$46,075.22 PAY ONLY ONE AMOUNT. See reverse side for important information.

If Received By	Oct 31, 2012	Nov 30, 2012	Dec 31, 2012
Please Pay	\$0.00	\$0.00	\$0.00

VON FRASER, CFC
ALACHUA COUNTY TAX COLLECTOR

2011 PAID REAL ESTATE
NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

PLEASE PAY IN U.S. FUNDS (NO POSTDATED CHECKS) TO VON FRASER, TAX COLLECTOR • PO BOX 142530 • GAINESVILLE, FL 32614-2530

If Received By	Oct 31, 2012	Nov 30, 2012	Dec 31, 2012
Please Pay	\$0.00	\$0.00	\$0.00

No Personal or Business Checks for Delinquent Taxes.
Please Pay with Cash, Cashier's Check or Certified Funds Only.

BANK OF AMERICA
% CORP REAL ESTATE ASSESSMENTS
NC1-001-03-81
101 N TRYON ST
CHARLOTTE, NC 28255

93551



ACCOUNT NUMBER	ESCROW CD	MILLAGE CD
10072 002 000		3600

Search Date: 10/14/2012 at 8:09:02 PM - Data updated: 10/11/12 Parcel: 10072-002-000

Tax payer: BANK OF AMERICA	Legal: MCCOYS COMMERCIAL PARK PB H-9 LOT 2 LESSN 197.12 FT PER OR 829/355 AND LESS COM SW COR LOT 2 THE POB N/LY ALONG R/W 150FT S 64 DEG E 300 FT S 25 DEG W 23.75 FT W 245.46 FT N 15 FT W 79.59 FT TO POBOR 1760/0292
Mailing: % CORP REAL ESTATE ASSESSMENTS NC1-001-03-81 101 N TRYON ST CHARLOTTE, NC 28255	
Location: 1961 N MAIN ST Unit A Gainesville	
Sec-Twn-Rng: 33-9-20	
Use: FINANCIAL	
Tax Jurisdiction: Gainesville	
Area: N. Main Street	
Subdivision: MCCOYS COMM CENTER	

Current Values								
Land	Building	Misc	Total	Deferred	Assessed	Exempt *	Taxable *	Taxes
1002400	870000	22100	1894500	0	1894500	0	1894500	44924.02

These numbers reflect County General Fund but do not reflect School Board taxable value.

Assessment History

** Exempt Amount and Taxable Value History reflect County Amounts. School Board and City Amounts may differ. **

Year	Use	Land	Building	Misc	Total	SOH Deferred	Assessed	Exempt**	Taxable**	Taxes
2011	FINANCIAL	626500	1250600	18200	1895300	0	1895300	0	1895300	45534.63
2010	FINANCIAL	626500	1265300	18200	1910000	0	1910000	0	1910000	45641.7
2009	FINANCIAL	626500	1280100	18200	1924800	0	1924800	0	1924800	46036.79
2008	FINANCIAL	626500	1294900	18300	1939700	0	1939700	0	1939700	43116.46
2007	FINANCIAL	568600	1164700	17700	1751000	0	1751000	0	1751000	39152.78
2006	FINANCIAL	568600	1071600	17700	1657900	0	1657900	0	1657900	40845.19
2005	FINANCIAL	568600	1063600	17700	1649900	0	1649900	0	1649900	41764.68
2004	FINANCIAL	568600	1092300	13400	1674300	0	1674300	0	1674300	42817.76
2003	FINANCIAL	568600	999300	13400	1581300	0	1581300	0	1581300	41422.24
2002	FINANCIAL	568600	992100	13500	1574200	0	1574200	0	1574200	41830.93
2001	FINANCIAL	568600	984400	13500	1566500	0	1566500	0	1566500	41612.22
2000	FINANCIAL	568600	976500	13500	1558600	0	1558600	0	1558600	41956.9
1999	FINANCIAL	568600	968100	13500	1550200	0	1550200	0	1550200	42001.49
1998	FINANCIAL	568600	714600	13600	1296800	0	1296800	0	1296800	36157.92
1997	FINANCIAL	568600	708200	14500	1291300	0	1291300	0	1291300	36779.99
1996	FINANCIAL	568600	708800	15500	1292900	0	1292900	0	1292900	37135.19
1995	FINANCIAL	568600	705600	16400	1290600	0	1290600	0	1290600	37100.51

Land		
Use	Zoning	Acres
FINANCIAL	B2	5.75

Current Land Value: 1002400

Building		Area Type	Square Footage
Actual Year Built	1982	BASE AREA (BAS)	11342
Effective Year Built	1982	CANOPY (CAN)	450
Use:	BANK	Heated Area: 11342 Total Area: 11792	
Bedrooms:	0		
Baths:	19		
Stories:	1		
Exterior Wall:	FACE BRICK		

AC:	ROOF TOP AIR		
Heating:	FORCED AIR DUCT		
Actual Year Built	1981	Area Type	Square Footage
Effective Year Built	1981	BASE AREA (BAS)	390
Use:		CANOPY (CAN)	27
Bedrooms:	0	FINISHED CARPORT (FCP)	3436
Baths:	4	FINISHED STORAGE (FST)	35
Stories:	1		Heated Area: 390 Total Area: 3888
Exterior Wall:	PRECAST PANEL		
AC:	CENTRAL AIR		
Heating:	FORCED AIR DUCT		
			Current Building Value: 870000

Miscellaneous

Description	Units
PAVING 1	33600
SPR SYSTEM	1
LIGHTS	7
VAULT	1
WELL	1
A/C 1	1
FENCE CL	2880
Current Miscellaneous Value: 22100	

Sale

Date	Price	Vacant	Qualified	OR Book	OR Page	Instrument
01/16/1990	2600000	No	No	1760	0292	Warranty Deed
01/01/1978	200000	No	Yes	1150	430	Warranty Deed

Permit

County Permit information is supplied by the Alachua County Office of Codes Enforcement. The Alachua County Office of Codes Enforcement and the Property Appraiser's Office assume no liability whatsoever associated with the use or misuse of this public information data and will not be held liable as to the validity, correctness, accuracy, completeness, and / or reliability of this data.

Permit Number	Permit Type	Issue Date	Final Date	Appraisal Date	Comment
11-03287	COMM REMODEL PERMIT	07/12/2011	00/00/0000	01/18/2012	DRIVE IN BLD INTERIOR
07-3295	MECHANICAL	05/15/2007	00/00/0000	01/10/2008	MECH
07-2661	ROOFING	04/23/2007	00/00/0000	01/10/2008	REROOF

VI. Notice Record

Alachua County elderly couple lose \$30,000 in scam

By Cindy Swirko
Staff writer

An elderly Alachua County couple was scammed out of \$30,000 by thinking they had won an international lottery but needed to send money for taxes and currency conversion. Alachua County sheriff's spokesman Art Forgy said the couple—the husband is 88 and the wife 86—are unlikely to

ever get the money returned. "They began to send money to these folks and continued to send money to them—a little bit more for whatever reason," Forgy said. "It was uncovered when they went to the bank to apply for a loan. They were trying to get more money and the bank caught onto it." Forgy said the scam began in late August when the couple was

contacted by phone and told they had won \$1 million in an international lottery. The couple had not bought a ticket for such a lottery but began sending money to a specified address. The last contact the couple had with the scammers was when they were told they needed to pay \$2,600 or a lien would be put on their house.

They went to the bank and said they needed a loan to send money to their children, who live outside Florida. The bank became suspicious and called authorities. Forgy said investigators will try to track the phone numbers and other information, but added such scams are often run from foreign countries. "They will try to subpoena

phone records and get some of the contact numbers, but typically this stuff comes from overseas and it is very hard because you don't get a lot of cooperation from these countries," Forgy said. "There is very little chance of the getting this money back." Forgy said people should not respond to solicitations in which money was supposedly won.

SALES: Gainesville market lags behind Fla., U.S. recovery

Continued from 1B

During a meeting of Realtors on Wednesday morning, Ken Cornell said the boost in new listings came from banks selling foreclosures. An increase in short-sale closings and more foreclosures on the market will not help bring up overall prices. According to the National Association of Realtors, foreclosures sold at a 19 percent average discount in

August in the U.S., while short sales—in which banks accept prices below what they are owed—were discounted 13 percent. While the median price change in Gainesville was still negative, Wilburn pointed out that the rate of declines has improved considerably from the double-digit drops of a few years ago, calling August's 1.9 percent drop flat. He said prices are already up in some "micromarkets" such as

in-demand neighborhoods and homes priced below \$150,000. Gainesville's housing market is lagging behind the recovery in Florida and the U.S. as a whole. Statewide sales were up 11 percent in August, while the median sales price rose 6 percent to \$147,000 and is up 8 percent for the year. U.S. sales of single-family and attached homes combined in August rose 8 percent over July and 9 percent over August 2011.

Home sales and prices in Gainesville

Sales of single-family, existing homes in August:

	Realtor Sales			Median Sales Price		
	2011	2012	chg.	2011	2012	chg.
STATEWIDE			11%▲	\$139,000	\$147,000	6%▲
Gainesville	166	209	26%▲	\$159,000	\$156,000	-2%▼
U.S.			10%▲		\$188,700	10%▲

The median sales price was up 10 percent for the year to \$187,400. Condominium and townhouse sales in Gainesville fell 18

percent in August to 47 from 57 a year ago, while the median sales price rose 17 percent to \$82,000 from \$70,000. Sales are up 8 percent for the year to date.

DUCKS: Not all residents pleased with decision

Continued from 1B

removal and will handle the much smaller removal approved Tuesday. This one will involve approximately 12 to 14 Muscovies, a mother duck and her adolescent offspring. Wednesday afternoon, the mother stretched her wings while perched on the branch of an oak tree while the younger ducks sat in the shade below. Hayes said that, just like the removal of several years back, the ducks will not be killed. They will be relocated to farms and rural properties where owners accept them. Hayes said that the Muscovy are a domestic duck genetically bred for meat. The state lists them as a nuisance species and their reproduction rate is two to three times that of wild ducks, he said. Hayes said that, to prevent another Muscovy population explosion, some area residents had collected and removed about 200 eggs in the past. Like Barr, Hayes said the plan was to bring in other types of ducks that are smaller and have less propensity to multiply. He said there is not a time-



ELIZABETH HAMILTON/CORRESPONDENT

A duck swims in the historic Duck Pond neighborhood in Gainesville on Wednesday. Residents voted to have the Muscovy ducks removed from the neighborhood.

frame for when the Muscovies will be removed. Neighborhood resident John Carter recalled the dump trucks of muck removed from the pond during the clean-up effort of a decade back. "It was a horrid mess," he said. "The amount of duck poop in the lake was astounding." He said he supported the planned removal at Tuesday evening's meeting as a pollution prevention measure.

City Commissioner Raudy Wells, who lives in the neighborhood, also said the removal was a preventive step to keep the Muscovy population from growing out of control and a return to a muck-filled pond. Resident Tim Hoskinson said he did not want a return to the situation of a decade ago but also did not feel that things were headed that way based on this group of Muscovies. Hoskinson said he did not feel residents received

adequate advance notice of Tuesday's meeting and believed that a presentation made by Hayes consumed too much of the time set aside to discuss the issue. Gwen Bush said she has lived in the neighborhood for 43 years and seeing the ducks like Muscovies on a walk down to the pond is what gave the area its character. "It takes away the identity of this neighborhood, and that is an established identity," she said.

CITY: Trespass towing rates on agenda today

Continued from 1B

2012-13 budget. The \$105 million general government budget includes 2 percent raises and increases the city's property tax rate from 4.25 mills to about 4.49 mills to offset a decline in taxable property values. The approximately \$370 million Gainesville Regional Utilities fiscal year 2012-13 budget slightly increases water and wastewater rates, decreases natural gas rates modestly and maintains the current electric rates. While fuel costs have declined, the City Commission and Gainesville Regional Utilities have decided against lowering electric rates. Instead of lowering rates now, they have

decided to charge customers more than 10 percent above actual fuel costs in order to build up a reserve to lessen the impact on fuel charges when the biomass plant comes online in late 2013. Commissioners also will consider today whether to move forward toward a final vote on a proposed increase in trespass towing rates from \$76 to \$84. Towing companies have requested the rate increase. It would have to come back for a final vote at a future meeting. The lowering rate issue is on the agenda for the afternoon meeting, which begins at 1 p.m. The resolution to oppose the road sales tax and the public hearing on the budget is scheduled for the evening session, which typically begins shortly before 6 p.m.



WEAR ORANGE FOR KENTUCKY GAME SHOP ILENE'S ORANGE GATORWEAR
 OPEN WED-SUN
 2441 HWY 43 ST (E55) • 378-1611

Manage your Subscription online
 Make a payment •
 Place a vacation hold •
 Report a delivery issue •

Sun
 www.gainesville.com/subscribe

Obituary Information
 All obituaries are paid notices and are placed by the funeral home or crematorium handling the arrangements as a service to the family.

For more information:
 337-0304 or 374-5017
 obits@gvillesun.com
 fax: (352) 338-3131

COIN & JEWELRY GALLERY
 UNIVERSITY
 BUYING US Coins, Foreign Coins and Stamps
 352-372-6400 • 3446 West University Ave. • Gainesville

Public Notice

A neighborhood workshop will be held to discuss a rezoning to BUS (General Business District) on approximately 5.75 acres located at 1961 N. Main Street. This is not a public hearing. The purpose of the meeting is to inform neighboring property owners of the nature of the proposal and to seek their comments.

The meeting will be held Monday, October 8, 2012 at 6:00 p.m. at GRU Administration Building, 301 SE 4th Avenue, Gainesville, FL, in the Multi-Purpose Room on the 1st floor.
 Contact person: Linda Johnson (352) 335-8442



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: 9/13/12 Location Map Provided

Tax Parcel Number: 10072 -- 002 -- 000

Property Address: 1961 N. Main Street, Unit A

Project Name: Rezoning request for 1961 N. Main Street

Project Description: Rezoning from BA to BUS

First Step Meeting Date ____ / ____ / ____ Planner: _____

Circle One: Owner Agent

Applicant: C. David Coffey, Esq. Signature:

Daytime Phone No.: (352) 335-8442 Fax No.: (352) ~~376~~-0026

*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: ____ / ____ / ____

Neighborhood Workshop Notice

5th Avenue
ROBERTA PARKS
616 NW 8 ST
GAINESVILLE, FL 32602

Neighborhood Workshop Notice

CITY OF GAINESVILLE
ATTN: MIKE HOGE
PO BOX 490 MS 11
GAINESVILLE, FL 32627

Neighborhood Workshop Notice

Ashton
DAVID L. SMOCK
5858 NW 45 DR
GAINESVILLE, FL 32653

Neighborhood Workshop Notice

Azalea Trails
MARIE SMALL
1265 SE 12 AVE
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Black Acres
ANNE MURRAY
224 NW 28 TER
GAINESVILLE, FL 32607

Neighborhood Workshop Notice

Capri
JOHN DOLES
4539 NW 37 TER
GAINESVILLE, FL 32605

Neighborhood Workshop Notice

Carol Estates South
BECKY RUNNESTRAND
1816 NE 16 TER
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

Cedar Grove II
HELEN HARRIS
1237 NE 21 ST
GAINESVILLE, FL 32641

Neighborhood Workshop Notice

Creekwood
HELEN SCONYERS
2056 NW 55 BLVD.
GAINESVILLE, FL 32653

Neighborhood Workshop Notice

Debra Heights
SARAH POLL
PO BOX 14198
GAINESVILLE, FL 32604

Neighborhood Workshop Notice

Duckpond
RANDY WELLS
820 NE 5 AVE
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Duval
GILBERT S MEANS, SR
2153 SE HAWTHORNE RD #111
GAINESVILLE, FL 32641

Neighborhood Workshop Notice

Edgewood Hills
BONNIE O'BRIAN
2329 NW 30 AVE
GAINESVILLE, FL 32605

Neighborhood Workshop Notice

Elizabeth PL/Northwest 23rd ST
GALE FORD
715 NW 23 ST
GAINESVILLE, FL 32607

Neighborhood Workshop Notice

Forest Ridge
JUANITA CASAGRANDE
1911 NW 22 DRIVE
GAINESVILLE, FL 32605

Neighborhood Workshop Notice

Gateway Park
HAROLD SAIVE
1716 NW 10 TER
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

Golfview
CHRIS MONAHAN
222 SW 27 ST
GAINESVILLE, FL 32607

Neighborhood Workshop Notice

Greater Northeast Community, The
MIRIAM CINTRON
915 NE 7 AVE
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Grove Street
MARIA HUFF-EDWARDS
1102 NW 4 ST
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Hazel Heights
ALLAN MOYNIHAN
PO BOX 357412
GAINESVILLE, FL 32635

Neighborhood Workshop Notice

Hibiscus Park
CAROL BISHOP
2616 NW 2 AVE
GAINESVILLE, FL 32607

Neighborhood Workshop Notice

Hidden Lake
GEORGE KASNIC
2116 NW 74 PL
GAINESVILLE, FL 32653

Neighborhood Workshop Notice

Highland Court Manor
DAVID SOUTHWORTH
3142 NE 13 ST
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

Ironwood
NANCY TESTA
4207 NE 17 TER
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

Kensington Park
MAXINE HINGE
5040 NW 50 TER
GAINESVILLE, FL 32606

Neighborhood Workshop Notice

Kingswood Court
JOHN ORTON
5350 NW 8 AVE
GAINESVILLE, FL 32605

Neighborhood Workshop Notice

Kirkwood
JANE BURMAN-HOLTON
701 SW 23 PL
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Lampighter
LARRY NICHOLSON (PROP MGR)
5200 NE 50 DR
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

Landmark Woods
JACK OSGARD
4332 NW 12 PL
GAINESVILLE, FL 32605

Neighborhood Workshop Notice

Las Pampas
PETER JANOSZ
3418 NW 37 AVE
GAINESVILLE, FL 32605

Neighborhood Workshop Notice
Libby Heights
MARTIN McKELLAR
3442 NW 13 AVE
GAINESVILLE, FL 32605

Neighborhood Workshop Notice
Mason Manor
JOANNA LEATHERS
2550 NW 13 AVE
GAINESVILLE, FL 32605

Neighborhood Workshop Notice
Northwood
SUSAN W. WILLIAMS
PO BOX 357492
GAINESVILLE, FL 32653

Neighborhood Workshop Notice
Oakview
DEBRA BRUNER
914 NW 14 AVE
GAINESVILLE, FL 32601

Neighborhood Workshop Notice
Pine Park
DELORES BUFFINGTON
721 NW 20 AVE
GAINESVILLE, FL 32609

Neighborhood Workshop Notice
Porters Community
GIGI SIMMONS
712 SW 5 ST
GAINESVILLE, FL 32601

Neighborhood Workshop Notice
Raintree
RONALD BERN
1301 NW 23 TER
GAINESVILLE, FL 32605

Neighborhood Workshop Notice
Royal Gardens
DOUGLAS BURTON
2720 NW 27 PL
GAINESVILLE, FL 32605

Neighborhood Workshop Notice
Southeast Evergreen Trails
MAUREEN RESCHLY
1208 SE 22 AVE
GAINESVILLE, FL 32641

Neighborhood Workshop Notice
Stephen Foster Neighborhood Association
ROBERT PEARCE
714 NW 36 AVE
GAINESVILLE, FL 32609

Neighborhood Workshop Notice
Lincoln Estates
DORIS EDWARDS
1040 SE 20 ST
GAINESVILLE, FL 32601

Neighborhood Workshop Notice
Mill Pond
HAROLD HANEL
309 NW 48 BLVD
GAINESVILLE, FL 32607

Neighborhood Workshop Notice
Northeast Neighbors
SHARON BAUER
1011 NE 1 AVE
GAINESVILLE, FL 32601

Neighborhood Workshop Notice
Phoenix
APRIL JONES
3214-B SW 26 TER
GAINESVILLE, FL 32608

Neighborhood Workshop Notice
Pineridge
BERNADINE TUCKER
9 TURKEY CREEK
ALACHUA, FL 32615

Neighborhood Workshop Notice
Rainbows East
JOE THOMAS
5014 NW 24 TER
GAINESVILLE, FL 32605

Neighborhood Workshop Notice
Ridgeview
ROB GARREN
1805 NW 34 PL
GAINESVILLE, FL 32605

Neighborhood Workshop Notice
Shadow Lawn Estates
CONNIE SPITZNAGEL
3521 NW 35 PL
GAINESVILLE, FL 32605

Neighborhood Workshop Notice
Springhill/Mount Olive
VIVIAN FILER
1636 SE 14 AVE
GAINESVILLE, FL 32641

Neighborhood Workshop Notice
Suburban Heights
DIANN DIMITRI
5015 NW 19 PLACE
GAINESVILLE, FL 32605

Neighborhood Workshop Notice
Madison Park
CHARLES FLOYD
1911 N.W. 36 DR
GAINESVILLE, FL 32605

Neighborhood Workshop Notice
North Lincoln Heights
ANDREW LOVETTE SR.
430 SE 14 ST
GAINESVILLE, FL 32601

Neighborhood Workshop Notice
Northwest Estates
VERN, HOWE
3710 NW 17 LN
GAINESVILLE, FL 32605

Neighborhood Workshop Notice
Appletree
JUDITH MORROW
3616 NW 54 LANE
GAINESVILLE, FL 32653

Neighborhood Workshop Notice
Pleasant Street
LARRY HAMILTON
212 NW 3 AVE
GAINESVILLE, FL 32601

Neighborhood Workshop Notice
Rainbows End
SYLVIA MAGGIO
4612 NW 21 DR
GAINESVILLE, FL 32605

Neighborhood Workshop Notice
Ridgewood
KERRI CHANCEY
1310 NW 30 ST
GAINESVILLE, FL 32605

Neighborhood Workshop Notice
South Black Acres
DEANNA MONAHAN
14 SW 32 ST
GAINESVILLE, FL 32607

Neighborhood Workshop Notice
Springtree
KATHY MEISS
2705 NW 47 PL
GAINESVILLE, FL 32605

Neighborhood Workshop Notice
Sugarfoot Community/Anglewood
HEATHER REILLY
426 SW 40 TERRACE
GAINESVILLE, FL 32607

Neighborhood Workshop Notice

Sugarhill
CYNTHIA COOPER
1441 SE 2 TER
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Sutters Landing
PETER REBMAN
3656 NW 68 LN
GAINESVILLE, FL 32653

Neighborhood Workshop Notice

Turkey Creek Forest Owners Assn
ATTN: RITA SMITH
8620 NW 13 ST, #210 CLUBHOUSE OFFICE
GAINESVILLE, FL 32653

Neighborhood Workshop Notice

University Park
JIMMY HARSBARGER
402 NW 24 ST
GAINESVILLE, FL 32604

Neighborhood Workshop Notice

University Village
BRUCE DELANEY
75 SW 23 Way
GAINESVILLE, FL 32607

Neighborhood Workshop Notice

Forest Ridge/Henderson Heights
JUANITA CASAGRANDE
1911 NW 22 DRIVE
GAINESVILLE, FL 32605-3953

Neighborhood Workshop Notice

Woodland Terrace
JERRY D. ROSE
3415 NW 1 CT
GAINESVILLE, FL 32607

Neighborhood Workshop Notice

Stephen Foster Neighborhood Assoc, Inc
SANDRA WATTS KENNEDY
514 NW 31 LANE
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

Appletree
CHRIS GARCIA
5451 NW 35 DR
GAINESVILLE, FL 32653

Neighborhood Workshop Notice

Ashton
ASHTON HOMEOWNERS ASSOC
5200 NW 43 ST STE 102
GAINESVILLE, FL 32606

Neighborhood Workshop Notice

Duckpond
STEVE NADEAU
2821 NW 23 DR
GAINESVILLE, FL 32605

Neighborhood Workshop Notice

Duckpond
MELANIE BARR
216 NE 5 ST
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Eagle Eyes
BEATRICE ELLIS
316 NE 14 ST
GAINESVILLE, FL 32641

Neighborhood Workshop Notice

Front Porch Florida, Duval
JUANITA MILES HAMILTON
2419 NE 8 AVE
GAINESVILLE, FL 32641

Neighborhood Workshop Notice

Porters
RUBY WILLIAMS
237 SW 6 ST
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Porters
INA HINES
320 SW 5 AVE
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

School Board
VICK McGRATH
3700 NE 53 AVE
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

University of Florida
LINDA DIXON
PO BOX 115050
GAINESVILLE, FL 32611

Neighborhood Workshop Notice

University Park
MEL LUCAS
620 E UNIVERSITY AVE
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Millennium Bank
DANNY GILLILAND
4340 NEWBERRY RD
GAINESVILLE, FL 32607

Neighborhood Workshop Notice

Florida Bank
LAUDE ARNALDI
PO BOX 5549
GAINESVILLE, FL 32627

Neighborhood Workshop Notice

LARRY SCHNELL
2048 NW 7 LN
GAINESVILLE, FL 32603

Neighborhood Workshop Notice

MAC McEACHERN
1020 SW 11 TER
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Stephen Foster Neighborhood Assoc, Inc
MARIA PARSONS
439 NW 37 AVENUE
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

BOBBIE DUNNELL
3118 NE 11 TER
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

JAMES WOODLAND
225 SE 14 PL
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Bivens North Association
PENNY WHEAT
2530 SW 14 DR
GAINESVILLE, FL 32608

Neighborhood Workshop Notice

STEWART WELLS
6744 NW 36 DR
GAINESVILLE, FL 32653

Neighborhood Workshop Notice

BELLINGTON'S CUSTOM SERVICE
% BRAXTON LINTON
1907 SE HAWTHORNE RD
GAINESVILLE, FL 32641

Neighborhood Workshop Notice

KAREN BILLINGS
2123 NW 72 PL
GAINESVILLE, FL 32653

Neighborhood Workshop Notice
10072-003-004 Bank of America
KAREN D AUER TRUSTEE
9330 SW 32ND PL
GAINESVILLE, FL 32608

Neighborhood Workshop Notice
10072-002-000 **** Bank of America
BANK OF AMERICA (REAL ESTATE)
NC1-001-03-81
101 N TRYON ST
CHARLOTTE, NC 28255

Neighborhood Workshop Notice
10031-005-000 Bank of America
BILLS LOW COST TRANSMISSION
1883 N MAIN ST
GAINESVILLE, FL 32609

Neighborhood Workshop Notice
09988-003-000 Bank of America
CJF LLC
4150 N HIGHWAY 441
OCALA, FL 34475

Neighborhood Workshop Notice
09988-010-030 Bank of America
CLOCK RESTAURANT INC (THE)
% CLOCK RESTAURANTS
902 CLINT MOORE RD STE 126
BOCA RATON, FL 33487

Neighborhood Workshop Notice
10031-001-002 Bank of America
COMMERCE PARTNERSHIP #1108
% LISA O'NEAL
1890 KINGSLEY AVE #104
ORANGE PARK, FL 32073

Neighborhood Workshop Notice
10071-003-002 Bank of America
CORP DIOCESE OF SAINT AUGUSTINE
% VICTOR GALEONE AS BISHOP
11625 OLD ST AUGUSTINE RD
JACKSONVILLE, FL 32258

Neighborhood Workshop Notice
09988-001-000 Bank of America
GAINESVILLE AUTOMOTIVE MGT LLC
2101 N MAIN ST
GAINESVILLE, FL 32609

Neighborhood Workshop Notice
09988-010-008 Bank of America
GAINESVILLE AUTOMOTIVE MGT LLC
1101 EAST FLETCHER AVE
TAMPA, FL 33612

Neighborhood Workshop Notice
10071-002-002 Bank of America
GAINESVILLE VOA ELDERLY HOUSING
1901 NE 2ND ST
GAINESVILLE, FL 32609

Neighborhood Workshop Notice
10072-002-002 Bank of America
HELIKA PROPERTIES
PO BOX 46677
ST PETERSBURG BEACH, FL 33741

Neighborhood Workshop Notice
10072-003-003 Bank of America
HENDERSON TRUSTEES
5522 SW 85TH AVE
GAINESVILLE, FL 32608

Neighborhood Workshop Notice
10031-004-000 Bank of America
MARTINS FAMILY APPLIANCE CENTER
1809 N MAIN ST
GAINESVILLE, FL 32609

Neighborhood Workshop Notice
09988-020-002 Bank of America
MCCOY MFG CO INC
2160 NE 1ST BLVD
GAINESVILLE, FL 32609

Neighborhood Workshop Notice
10071-003-001 Bank of America
NEW HORIZON PROPERTIES IV INC
PO BOX 141750
GAINESVILLE, FL 32614

Neighborhood Workshop Notice
10031-001-003 Bank of America
MARIE ROBIN PEAKAR TRUSTEE
19801 FALCON CREST CT
NORTHRIDGE, CA 91326

Neighborhood Workshop Notice
10031-001-001 Bank of America
SAFARI AUDIO INC
14260 W NEWBERRY RD #323
NEWBERRY, FL 32669

Neighborhood Workshop Notice
09988-005-000 Bank of America
JOHN G II SCHOLTENS
2415 NW 59TH TER
GAINESVILLE, FL 32606

Neighborhood Workshop Notice
09988-000-000 Bank of America
SOUTH FINANCIAL SERVICES INC
3501 SW 2ND AVE STE 2300
GAINESVILLE, FL 32607

Neighborhood Workshop Notice
10072-003-005 Bank of America
TOWER COMMUNICATIONS INC
1830 NE 2ND ST
GAINESVILLE, FL 32609

Neighborhood Workshop Notice
10031-000-000 Bank of America
UNIVERSITY OF FLA FOUNDATION INC
PO BOX 14425
GAINESVILLE, FL 32604

Neighborhood Workshop Notice
Pinebreeze
JUDITH MEDER
3460 NW 46 PL
GAINESVILLE, FL 32605

Neighborhood Workshop

A neighborhood workshop will be held to discuss a rezoning to BUS (General Business District) on approximately 5.75 acres located at 1961 N. Main Street.

Date: Monday, October 8, 2012
Time: 6:00 p.m.
Place: GRU Administration Building
Multi-Purpose Room on the 1st floor
301 SE 4th Avenue, Gainesville, FL
Contact: Linda Johnson (352) 335-8442

The applicant will host a workshop to discuss a request to rezone a 5.75 acre parcel to the General Business (BUS) district in order to establish a health services facility on the site. The BUS district permits a wide range of commercial, business and office uses located along major transportation arteries and frontage roads and is intended to promote compatibility with residential uses while maintaining flexibility for commercial uses. Please see the complete list of permitted uses attached.

This is not a public hearing. The purpose of the meeting is to inform neighboring property owners of the nature of the proposal and to seek their comments. We look forward to seeing you there.

General Business District (BUS)

Table of Permitted uses

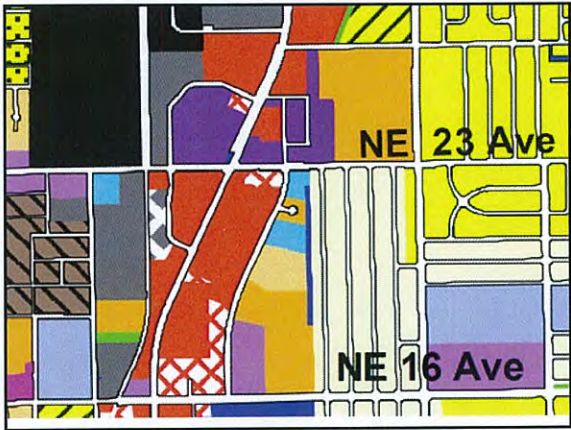
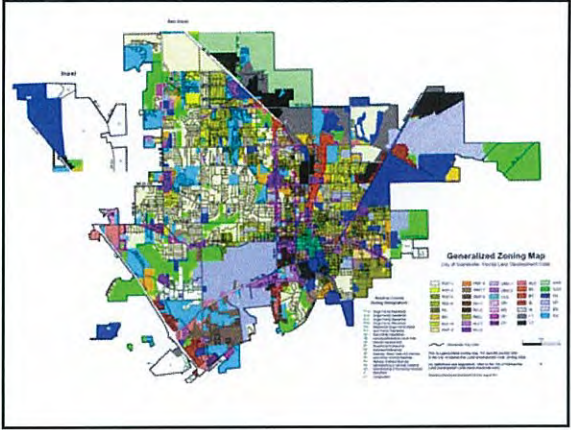
SIC	Uses	Conditions
	USES BY RIGHT:	
	Any accessory uses customarily and clearly incidental to any permitted principal use	
	Bed and breakfast establishments	In accordance with article VI
	Compound uses	
	Eating places	
	Itinerant food vendor	Only on parcels that contain a retail store with a minimum gross floor area of 50,000 square feet and in accordance with chapter 19, article IV
	Outdoor cafe	As defined in article II and in accordance with article VI
	Personal fitting and sales of prosthetic or orthopedic appliances	
	Places of religious assembly	In accordance with article VI
	Public service vehicles	As defined in article II and in accordance with article VI
	Repair services for household needs	As defined in article II
	Forest nursery for sale of planted trees only	In a non-enclosed (outdoor), fenced area; excluding storage and outside storage of all other items other than: (1) trees planted in the ground, and (2) mechanical and vehicular equipment used to plant, cultivate and harvest the trees; subject to development plan review
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
IN-0752	Animal specialty services, except veterinary	Only within enclosed buildings
GN-078	Landscape and horticultural services	
MG-15	Building construction - General contractors and operative builders	
GN-171	Plumbing, heating and air conditioning contractors	
GN-172	Painting and paper hangers	
GN-173	Electrical work	
IN-2261	Finishers of broadwoven fabrics of cotton	
IN-2262	Finishers of broadwoven fabrics of manmade fiber and silk	
MG-27	Printing, publishing and allied industries	
MG-43	U.S. Postal Service	
GN-472	Arrangement of passenger transportation	Offices only, with no operation of passenger tours from the site
MG-	Communications	Accessory transmission, retransmission and microwave towers

SIC	Uses	Conditions
48		up to and including 100 feet in height in accordance with article VI
GN-523	Paint, glass and wallpaper stores	
GN-525	Hardware stores	
GN-526	Retail nurseries, lawn and garden supply stores	
MG-53	General merchandise stores	
MG-54	Food stores	Accessory gasoline and alternative fuel pumps in accordance with article VI
GN-553	Auto and home supply stores	Excluding garage and installation facilities except as provided for with a special use permit
GN-554	Gasoline service stations including the sale of alternative fuels for automobiles	In accordance with article VI
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishings and equipment stores	
MG-59	Miscellaneous retail	Direct selling establishments (IN-5963) and fuel oil dealers (IN-5983) with inside storage, display and sales only
	Sexually oriented retail store	In accordance with section 30-90
Div. H	Finance, insurance and real estate	Excluding cemetery subdivisions and developers (IN-6553)
MG-72	Personal services	Including funeral services and crematories in accordance with article VI
MG-73	Business services	Excluding outdoor advertising services (IN-7312, heavy construction equipment rental and leasing (IN-7353), and equipment rental and leasing, not elsewhere classified (IN-7359); and including disinfecting and pest control services (IN-7342), in accordance with article VI.
GN-752	Automobile parking	
MG-76	Miscellaneous repair services	Excluding miscellaneous repair shops and related services (GN-769), and including repair services for household needs as defined in article II
MG-78	Motion pictures	Excluding drive-in theaters (IN-7833) and outdoor filming facilities and sexually oriented motion picture theaters and motion picture arcades
MG-79	Amusement and recreation services	Only within enclosed structures, and excluding go-cart rental and raceway operations and also excluding commercial sports (GN-794)
MG-80	Health services	Including nursing and personal care facilities (GN-805) in accordance with article VI, and excluding hospitals (GN-806) and rehabilitation centers.
MG-81	Legal services	
MG-82	Educational services	Including private schools in accordance with article VI
MG-83	Social services	Including day care as defined in article II and in accordance with article VI, excluding rehabilitation centers, halfway

SIC	Uses	Conditions
		houses, social service homes, and residences for destitute people as defined in article II
GN-841	Museums and art galleries	
MG-86	Membership organizations	
MG-87	Engineering, accounting, research, management and related services	Excluding testing laboratories, (IN-8734) and facility support management services (IN-8744)
MG-89	Services, not elsewhere classified	
Div. J	Public administration	
	USES BY SPECIAL USE PERMIT	
	Accessory transmission, retransmission and microwave towers over 100 feet in height	In accordance with article VI
	Alcoholic beverage establishments	In accordance with article VI
	Food distribution center for the needy	In accordance with article VI
	Retail sales of electric golf carts	In accordance with article VI
	Limited automotive services	In accordance with article VI
	Rehabilitation centers	In accordance with article VI
	Residences for destitute people	In accordance with article VI
GN-598	Fuel dealers	In accordance with article IX
GN-701	Hotels and motels	
GN-702	Roominghouses and boardinghouses	In accordance with article VI
	Ice manufacturing/vending machines	In accordance with article VI

Source: Gainesville, Florida, Code of Ordinances, Part II - Code Of Ordinances, Chapter 30 - Land Development Code, Article IV. Use Regulations, Division 4. Business and Mixed Use Zoning Districts, Sec. 30-61. General business district (BUS), (c) Permitted Uses

Neighborhood Workshop Materials



NOTES FROM NEIGHBORHOOD WORKSHOP

The neighborhood workshop was held at 6:00 p.m., Monday, October 8, 2012 at the GRU Administration Building in the Multi-Purpose Meeting Room. C. David Coffey, Esq., explained the nature of the rezoning request and used PowerPoint slides to facilitate the discussion. Mr. Coffey explained that the property was being sold by Bank of America and that the purchasers wish to use the site and existing building for providing medical services and site modifications, if any, were not yet determined.

The following citizens attended the workshop.

1. Fred Pratt
2. Sarah Poll

Those in attendance were most interested in learning specifically what would be done with the property. Many of the questions asked involved issues to be addressed through the site plan review process should there be modifications proposed that trigger such review. Mr. Coffey explained that the matter at this point is simply a request to rezone the property from BA to BUS and that it is important to focus first on the uses allowed by each zoning district. There were no concerns expressed about the specific zoning district being requested.

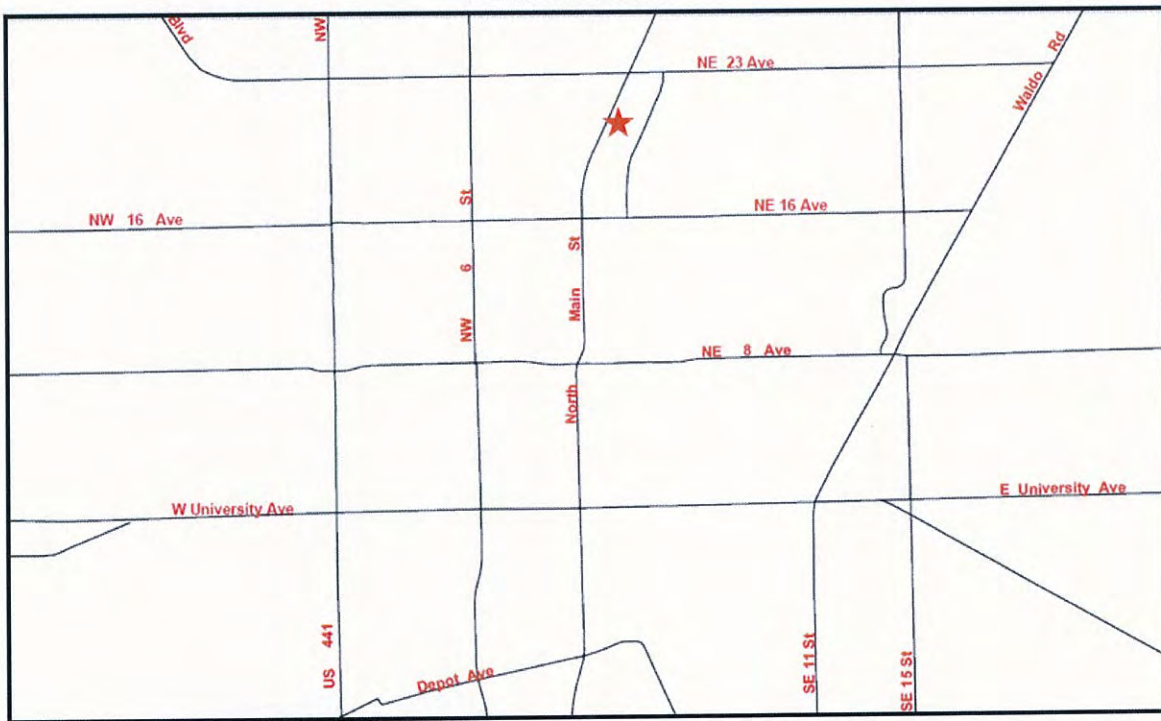
Specific concerns that were expressed were: whether there would be loss of existing trees, particularly on the south and eastern portions of the site where trees have been retained; whether there would be intensification of traffic in the area, particularly on NW 2nd St. where the citizens indicated there is a high level of pedestrian traffic and that much of that traffic is handicapped. The citizens encouraged the new owner to consider funding a covered bus shelter for the stop that is adjacent to the eastern boundary of the property on NE 2nd Street.

VII. Justification Report

A. OVERVIEW

- Purpose: Allow medical office use in existing structure on subject parcel.
- Request: Change zoning district from BA (automotive-oriented business) to BUS (general business district).
- Location: 1961 N. Main Street
- Parcel Number: 16106-083-000
- Size: 5.76 acres
- Current Zoning 1,254,528 ft² = (5.76 acres x 43,560 ft² x 5 stories)
Max. Allowable City of Gainesville Comprehensive Plan, Objective 4.1
Intensity By-Right: Gainesville Code of Ordinances, Ch. 30, Sec. 30-62 – Automotive-oriented business district (BA)
- Proposed Zoning 501,811 ft² = (5.76 acres x 43,560 ft² x 5 stories x 40% max. lot coverage)
Max. Allowable Gainesville Code of Ordinances, Ch. 30, Sec. 30-61 – General business district (BUS)
Intensity By-Right:

LOCATION MAP



B. STATEMENT OF PROPOSED CHANGE

This application requests to change the zoning district of the subject parcel from Automotive-Oriented Business (BA) to General Business (BUS). The requested rezoning is necessary for the applicant to use the existing structure on the site for the provision of 'health services' in a medical office. The existing structures on the site include an 11,342 ft² building currently used as a bank and a 3,888 ft² canopy currently used for drive-through banking. The applicant desires to change the use of the building from a bank to medical office. No additional development of the site is proposed.

Currently, the BA zoning district does not allow medical office use and thus the applicant is prohibited from using the property as desired. The subject parcel has a future land use designation of Commercial. The BUS district is an implementing zoning category for the Commercial land use designation. Medical office is a permitted use within the BUS zoning district and the existing structures on the site conform to the dimension requirements of the BUS district. The properties surrounding the subject parcel also have Commercial future land use designations with current uses that are compatible with the proposed use.

The dimensional requirements of the BUS zoning district limit the lot coverage of a development to 40%, while the BA zoning district imposes no restriction on lot coverage. As a result, the BA zoning district generally permits more intensity of development than does the BUS zoning district. Accordingly, the proposed rezoning will not result in future development with greater impacts on public facilities than currently allowable.



C. CONSISTENCY ANALYSIS

Comprehensive Plan Consistency

The proposed zoning change is consistent with the Future Land Use Element of the City of Gainesville Comprehensive Plan. The future land use designation of the subject parcel is Commercial. Sec. 30-46 of the Land Development Code (Correspondence of zoning districts with future land use categories) indicates the zoning districts allowable within each future land use category. The allowable zoning districts for the Commercial land use designation include BA, BT, BUS, W, PD, CON, and PS. The proposed BUS zoning district is one of the implementing zoning categories for the Commercial land use designation and thus the change is consistent with Objective 4.1 and implements Policy 4.1.1 of the Comprehensive Plan.

Land Development Code Consistency

The proposed use of the subject parcel and its existing structure for medical office is consistent with the BUS zoning district. Sec. 30-61(a) of the Land Development Code specifies the purpose of the BUS district. The purposes of the BUS district include providing for a wide range of commercial, business, and office uses located along major transportation arteries and frontage roads. Medical office is an office use and the subject parcel is located on North Main Street, a major transportation artery and frontage road. Also consistent with the described purposes, a retention area and vacant land to the East create a transitional zone between the subject parcel and the nearest residential uses.

The objectives of the BUS zoning district are also identified in Sec. 30-61(b). Those objectives include permitting compatible commercial, office and service developments that benefit from being located in close proximity to each other. The proposed medical office is roughly 600 feet north of recently developed medical offices located at 1703 North Main Street. Another objective is to require appropriate buffering or screening around commercial development when it abuts any residential district boundary. Though the applicant intends to change the use of the existing structure on the site and is not proposing additional development, any future development would be screened from the residential district to the East across North East 2nd Street by the retention area and vacant land described above.

The proposed use of the existing structure as medical office is consistent with the permitted uses in the BUS district as specified in the table in Sec. 30-61(c). Health Services is a permitted use by right within the BUS zoning category.

The existing structure satisfies the dimensional requirements of the BUS district found in Sec. 30-61(d). The front setback exceeds the minimum requirement of 10 feet. Where the subject parcel is nearest to a residential district to the East, the setback exceeds the minimum setback as it is defined by the greater distance between 50 feet or the distance created by the 60-degree angle of light obstruction. No accessory structures exceed the 25 feet maximum height. The maximum lot coverage of 40 percent is

not exceeded by the existing structure: the lot coverage of the existing structure is 4 percent (the 11,342 ft² floor area of the existing structure divided by the 250,905 ft² area of the subject parcel). The existing structure does not exceed the maximum building height of 3 stories.

D. SURROUNDING LAND USES

Direction	Future Land Use	Zoning	Existing Property Use
North	Commercial	BA	Auto sales
South	Commercial	BUS & BA	Vacant commercial and stores
East	Residential Medium & Residential Low (across NE 2 nd St)	RMF-5 & RMF-6 (across NE 2 nd St)	Vacant multifamily, churches, and municipal (retention area)
West	Commercial	BA	Auto sales and service shops

E. IMPACT ANALYSIS

Residential Street Impact

All traffic entering and exiting the site will take direct access to a non-residential street, North Main Street and North East 2nd Street. There is, therefore, no direct impact to any residential streets. The site connection to North East 2nd Street is directly across from the private drive serving the residential community to the east. As previously noted, and as is described below, the requested BUS zoning district reduces the development intensity possible on the site which in turn ensures fewer vehicles using the North East 2nd Street intersection. As indicated in the level of service impact analysis below, the quantity of trips generated by medical office use is generally less than are generated by the existing use of the site as a drive-through bank.

Noise and Lighting Impact

The land uses surrounding the subject parcel to the North, South, and West are all commercial in nature. The subject parcel is bounded to the east by North East 2nd Street and is buffered from the nearest residential use by an existing retention areas and vacant land. The intended medical office use proposes reuse of the existing structure. The medical use is similar in intensity as the most recent bank use. Thus, noise generated and lighting required will be similar or less than the most recent bank use.

Environmental Impact

The subject parcel is located in a substantially developed commercial area. The City of Gainesville's map of surface waters and wetland districts indicates no presence of lakes, creeks, or wetlands on the subject parcel. The subject parcel is not located within a Wellfield District. The purpose of the proposed change is to use the existing structure on the site. Any future development will be required to address stormwater management at the time of development review. No adverse environmental impacts resulting from the change in zoning designation have been identified.

Historic and Archeological Impact

The Florida Division of Historical Resources indicates no archeological resources located on the subject parcel.

Community Impact

As discussed above, the proposed rezoning will implement the policies of the Comprehensive Plan. As a prerequisite to the desired use of the subject parcel, the rezoning will facilitate the continued economic contribution of the existing structure. The proposed use will allow for the provision of health services in a central location with multi-modal transportation access.

Economic Impact

The proposed rezoning will permit a health services facility to operate on the site. The medical office will provide a place of employment for the staff of the facility. Health service facilities generally employ skilled labor and reduce underemployment in specialty fields. The change of use will also ensure the continued occupancy of the existing structure. The continued use of the existing structure will help to maintain property values in the area and tax revenue from the subject parcel.

Level of Service Standards Impact

As previously described, the proposed BUS zoning category permits less development intensity than allowed in the existing BA zoning district. Thus, less impact is anticipated and no degradation in adopted level of service can be attributed to the change in zoning. The purpose of the rezoning is to allow reuse of the existing building with a medical use which produces less impacts than the most recent bank use. Thus, the proposed rezoning is expected to reduce impacts from what was previously possible and is expected to have no impact upon level of service standards.

Roadways: The proposed change of use is likely to have a reduced impact on roadways compared to the BA zoning designation. The subject parcel is located within Zone A of the City of Gainesville Transportation Concurrency Exception Area (TCEA). Zoning amendments within the TCEA are deemed to satisfy the requirement to maintain level of service standards for transportation. It is worth noting that the proposed reuse of the existing structure with a medical use is estimated to generate

substantially fewer average daily trips than the existing use as a drive-through bank. The table below indicates the estimated average daily trip generation of the proposed and existing uses.

ESTIMATED TRIP GENERATION

	Land Use ITE Code	Units	ADT Rate	ADT Total
Existing	Drive-in Bank (ITE 912)	11,342 ft ²	148.15 / 1,000 ft ²	1,674
Proposed	Medical Office (ITE 720)	11,342 ft ²	36.13 / 1,000 ft ²	408
Net Impact				(1,266)

Source: Trip generation rates from the Institute of Transportation Engineers, Trip Generation, 8th Edition.

Recreation: There are no estimated recreation impacts from the proposed rezoning as the permitted uses within the requested zoning designation are non-residential.

Water and Wastewater: The proposed rezoning lowers the maximum allowable development on the site by limiting lot coverage (the proposed zoning designation permits maximum development intensity of 501,811 ft² while the existing zoning category permits maximum development intensity of 1,254,528 ft²). That significant reduction in allowed development intensity will yield a lower maximum potential demand for water and wastewater services and thereby reduce pressure on the adopted water and wastewater levels of service. Gainesville Regional Utilities indicates potable water and sanitary sewer presently serve the area and adequate capacity exists to accommodate future development in the area.

Solid Waste: Based on the Approximate Solid Waste Generation Guideline published by the City of Gainesville Public Works Department, a commercial office building produces 1 cu. yd. of solid waste per 10,000 ft² per day. The proposed rezoning will result in 752,717 ft² less allowable commercial office development than the current zoning district permits. Thus, the estimated solid waste impact of the proposed rezoning is a reduction of approximately 75 cu. yd. per day.

Mass Transit: The subject parcel is within the Gainesville Regional Transit System (RTS) main bus service area and has access to RTS bus route 15. Route 15 runs along the Eastern boundary of the subject parcel on North East 2nd Street.