

# City of Gainesville Department of Doing Planning Division

PO Box 490, Station 11 Gainesville, FL 32627-0490 306 NE 6<sup>th</sup> Avenue P: (352) 334-5022 F: (352) 334-2648

#### CITY PLAN BOARD STAFF REPORT

## **SITE INFORMATION:**

**PUBLIC HEARING DATE:** February 28, 2019

ITEM NO: 1

**PROJECT NAME AND NUMBER:** PB-18-126 SUP Power Stop, Gasoline and Alternative Fuel Station

**APPLICATION TYPE:** Quasi-Judicial: Special Use Permit (SUP) with development plan review to allow construction of a Gasoline and Alternative Fuel Stations with twelve (12) fueling positions, a convenience store and a carwash

**RECOMMENDATION:** Staff recommends approval of the Special Use Permit for Petition PB-18-126 SUP, including the development plan with conditions and comments in the staff report and the recommendations from the Technical Review Committee

CITY PROJECT CONTACT: Lawrence Calderon, Planner III

# **APPLICATION INFORMATION:**

**Agent/Applicant:** CHW, Inc. (Robert Walpole, P.E.) agent for Legacy Fountains of Gainesville LLC, owner

**Property Owner(s):** Legacy Fountains of Gainesville, LLC

Related Petition(s): 2009 Land Use and PD change, Petition PB-09-115 LUC and PB-09-116 PDV

2017 Land Use and Zoning change, Petition PB-17-92 LUC and Petition PB-17-93 ZON

**Legislative History:** The site was zoned PD and combined with an adjacent parcel and rezoned to MU-1(8-30 units/acre mixed use low intensity district) in 2017. The related petition is PB-17-93, Ordinance #170484. **Neighborhood Workshop:** The Neighborhood Workshop for the Special Use Permit was conducted on May 24, 2018.

## **PURPOSE AND DESCRIPTION:**

This petition is a request to construct a "Gasoline/Alternative fuel" station with 12 fueling positions, a carwash facility and a convenience store on property located at the SW corner of the intersection of SW 20<sup>th</sup> Avenue and SW 52<sup>nd</sup> Street. The Land Development Code requires review of fueling stations with more than six positions through the Special Use Permit process. The code also requires compliance with the standards listed in Section 30-5.13 and Sec. 30-5.5.



**Map 1. Site Location Map** 

The code requires the burden of proof for determining compliance with the requirements of the Land Development Code remains at all times on the applicant.

This petition was reviewed by the Board on November 29, 2018. The applicant did not file and pay for an environmental review, a current environmental report delineating strategic ecosystem resources was not provided and no maps were provided depicting the Significant Natural Communities that would be protected and preserved. With reference to property boundaries, the application included portions of an adjacent parcel which was not properly documented and not created through the subdivision review process. The board specifically discussed boundaries of the Special Use Permit, the lack of a current environmental report and a definitive proposal concerning the set-aside. The board entertained one motion to approve the petition but that motion died for the lack of a second. A second motion to continue the petition to the January City Plan Board meeting was approved by a vote of 4 to 1. The continuation was to allow the applicant additional time to address concerns related to the required "Environmental Set Aside" and matters pertaining to property boundaries. Details of the City Plan Board's discussion can be viewed at this link (City Plan Board meeting, November 29, 2018 <a href="http://gainesville.granicus.com/MediaPlayer.php?view\_id=11&clip\_id=3491">http://gainesville.granicus.com/MediaPlayer.php?view\_id=11&clip\_id=3491</a> Time stamp: 20:59:00).

The new application includes a modified proposal demonstrating protection and maintenance of a compact area consisting of a mixture of Disturbed Mesic Hammock, Successional Hardwoods, and Mesic Hammock "Significant Habitat" areas (See Map 2 below). This proposal does not prioritize preservation of the significant habitat available on the site, as only about half of the set-aside is comprised of the Mesic Hammock "Significant Habitat." Furthermore, the significant habitat within the set aside is divided into three separate areas, two of the areas of which are separated by less desirable habitat. The third area of significant habitat, located adjacent to SW 52<sup>nd</sup> Street, is a small, isolated preservation area. If the surrounding area is developed, this preservation area will lack a physical connection to the remainder of the set aside.

## STAFF ANALYSIS AND RECOMMENDATION:

With respect to the property boundaries, the Land Development Code does not specifically state that a parcel or lot under consideration for a Special Use Permit must be a platted lot. However, the code requires that a properly defined parcel be designated for the Special Use Permit and that the conditions of the permit be binding upon such parcel. Further, the Special Use Permit regulations require that after approval, any modifications to the boundaries of such parcel shall require a new Special Use Permit. The application submitted for Board consideration must therefore be accompanied by a survey, including a legal description of the parcel under consideration. The application shall also include the signature and authorization from the owners of all properties included within the Special Use Permit petition. It should also be noted that the division of land shall be subject to the standards of the subdivision ordinance and the listed procedures for effectuating such property divisions.

SW 20th Ave.

SW 20th Ave.

SW 20th Ave.

PROPOSED PRESERVATION
AREAS
Total= 23,017 sq. ft./0.53 Acres

Map 2. Proposed Development Layout and Proposed Set Asides

Concerning the set-aside, earlier reviews of the site, (Petition 100 LUC-00 PB, Petition 101 ZON-00 PB, Petition PB-09-115 LUC, Petition PB-09-116 PDV, Petition PB-17-92 LUC, and Petition PB-17-93 ZON) referenced an environmental set-aside of at least 25% of the total acreage, approximately 1.27 acres, to be protected as upland area set-aside. The last environmental report, also referenced a required set-aside intended to preserve native plant species (i.e., Godfrey's Privet) along with a remnant of hardwood forest (i.e., Sugarfoot

Hammock) that is unusual for this area of Florida. As part of the recommendation for the initial review, staff requested a new environmental report or the preservation of a 25% set-aside as previously proposed. The resubmitted petition includes a more current environmental report and mapped areas of significant natural communities. In evaluating the petition, staff has determined that the subject parcels fall fully or partially within the Mapped Strategic Ecosystems but do not contain evaluated and delineated strategic ecosystem resources. According to Section 30-8.13 of the Land Development code, the site is therefore subject to no more than 25% set aside for the preservation and protection of on-site Significant Natural communities. The applicant submitted an environmental resources map, as depicted in Map 2, showing a total of 0.53 acres of "Significant Natural Communities" to be preserved in a compact contiguous area. Consistent with the ordinance to preserve no more than 25%, staff anticipated preservation of approximately 0.5 to 0.75 acres (26,780 to 32,670 square feet). The environmental report identifies the mapped location and extent of Significant Natural Communities; the area offered as set-aside is not consistent with the highest quality of Significant Natural Communities depicted in the environmental report (See Map 3 below).

SW 20th Ave. SW 20th Ave. Legend Project Boundary (7.12 ac **Plant Communities** Within Project Boundary Disturbed Mesic Hammool **Exotics** Mesic Hammock Oldfield Successional Hardwoods Exotics Outside Project Boundary Disturbed Mesic Hammool Exotics Mesic Hammock Oldfield Successional Hardwoods Alachua\_County 2015 ERC **Plant Community** Acres Inside 7.12 Disturbed Mesic Hammock-Exotics 0.79 Mesic Hammock 1.76 Oldfield 1.88 Successional Hardwoods-Exotics 2.68 10.97 Outside Disturbed Mesic Hammock-Exotics 1.79 Mesic Hammock 3.95 Oldfield 4.52 Successional Hardwoods-Exotics 0.72 **Grand Total** 18.09

Map 3. Mapped Plant Communities Existing on the Subject Properties

February 28, 2019.

One alternative to meeting and protecting the highest quality areas is to reconfigure the lot layout to include the most desirable areas immediately south and adjacent to the subject property. Since a substantial portion of the highest quality natural communities are planned to be removed for a stormwater basin, another approach is the use of an underground stormwater facility.

# The following is a list of new conditions:

#### **New Condition 1.**

A clearly defined parcel to which the Special Use Permit is applied shall be identified with the appropriate map and corresponding legal description. All owners shall agree to the conditions of approval binding on such lots, parcels or tracts included within the Special Use Permit.

## **New Condition 2.**

If the Special Use Permit is approved, the applicant shall be required to obtain City approval for the division or reconfiguration of properties through the appropriate subdivision review process to reflect the parcels subject to the Special Use Permit and its associated conditions.

#### New Condition 3.

The parcels included within the Special Use Permit shall be specifically identified and accompanied by a legal description of all lots or parcels. The owners of all parcels included as part of the Special Use Permit shall be listed as co-applicants and/or authorize the applicant to submit the application.

#### New Condition 4.

The applicant shall comply with the environmental regulations and provide a compact, contiguous area of 0.5 to 0.75 acres of the highest quality significant natural communities existing on the parcels presented for the special use permit. Alternatively, the applicant may provide an equivalent area of offsite comparable significant natural communities consistent with the standards of the environmental regulations.

## **New Condition 5.**

If the Special Use Permit is approved with the environmental lands set aside, the applicant shall comply with the Land Development Code for the procurement, management and maintenance of such systems.

## **New Condition 6. (This should be about Final Development Plan review)**

The parcels included within the Special Use Permit shall be specifically identified and accompanied by a legal description of all lots or parcels. The owners of all parcels included as part of the Special Use Permit shall be listed as co-applicants and/or authorize the applicant to submit the application.

Based on the recently submitted information, staff is proposing the following modifications to the conditions of approval included in the initial staff report, dated November 29, 2018.

## Condition 1.

A Cross-access and joint use driveways shall be provided to the adjacent property to the south to achieve compliance with the design criteria for gasoline/alternative fuel stations. Connectivity shall include automobile, bicycle and pedestrian routes at a single or multiple locations. The minimum width for bicycle and pedestrian routes shall be 20 feet wide; automobile routes shall be subject to the Public Works Design Manual. The connection shall be design in a manner consistent with the unique environmental habitat of the site. with particular focus on protecting the Godfrey's Privet and the Sugarfoot Hammock. The

connection location and design of connectivity point/s shall be determined after a review and analysis of an environmental report updating the last one related to the 2010 PD rezoning.

## Condition 2.

The dumpster shall be relocated to the west or south side of the development away from the primary frontage street. It shall be screened with vegetation and the photometric plan shall be modified to be consistent with the required standards.

#### Condition 3.

The maximum height of the canopy covering the fuel pumps shall not exceed 15 feet, consistent with the requirements of Sec. 30-5.13 C.9

#### Condition 4.

The applicant shall be required to comply with all comments and conditions of the Technical Review Committee as included in Attachment "C".

## Condition 5.

The development shall be designed to provide connectivity points to the undeveloped property to the south and west. Any connection shall be approved subject to maintaining and preserving the significant habitat endangered species on the site and the 25% set aside. Strategic Ecosystem with good habitat.

#### Condition 6.

The applicant shall be responsible for upgrade and improvements to the pedestrian lighting system that controls pedestrian circulation across SW 20<sup>th</sup> Avenue west of the intersection and across SW 52<sup>nd</sup> Street, south of the intersection.

#### Condition 7.

A new sidewalk route shall be provided from the southern access point to the western entrance of the main building. The minimum width of the sidewalk shall be 7 feet and shall be lit consistent with the code requirements for sidewalk lighting.

## Condition 8.

Prior to final approval, the applicant shall provide a modified landscaping plan demonstrating a minimum Type C buffer along the southern boundary with the adjacent property. Required vegetation and trees shall be 65 gallons at the time of planting. The buffer shall be designed to ensure compatibility of the proposed development to the unique characteristics of the environmental areas to the south. The buffer shall take into account the need for creating automobile, bicycle and pedestrian connections to the south.

## DRAFT MOTION FOR CONSIDERATION

Approve Petition PB-18-126 SUP with the associated development plan including the conditions in the staff report and the conditions from the Technical Review Committee.

# LIST OF ATTACHMENTS:

**<u>Attachment A.</u>** Some Additional Land Development Code Regulations

**Attachment B.** Some Additional Maps and Development Plans

Attachment C. Additional Maps and Plans Submitted by the Applicant



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# **Attachment A** Some Additional Land Development Code Regulations

## Chapter 2, Definitions:

**Lot of record** means, for the purposes of determining vested rights, a designated parcel, tract or area of land established by plat, lot split, metes and bounds description, or otherwise permitted by law, to be used, developed or built upon as a unit and which existed in the records of the county property appraiser on November 16, 1992.

**Parcel** means a unit of land within legally established property lines. Legally established property lines means those lines created by a recorded plat, minor plat or lot split, those units of land recognized as lots formed prior to 1961 as recorded on a map kept by the building division, and those lots recognized by the county code enforcement department at the time of any annexation.

**Lot** means a parcel of land contained within property lines of a specific area, including land within easements and building setback lines of the area, but excluding any land within street right-of-way. The word "lot" includes the words "plot," "unit," "parcel" and "tract."

#### Section 30-3.25

Staff Meeting. The applicant for a special use permit shall meet with city staff to discuss the procedures and requirements and to consider the elements of the **proposed use and site and the proposed site layout.** 

# Sec. 30-3.26. - Effect and limitations.

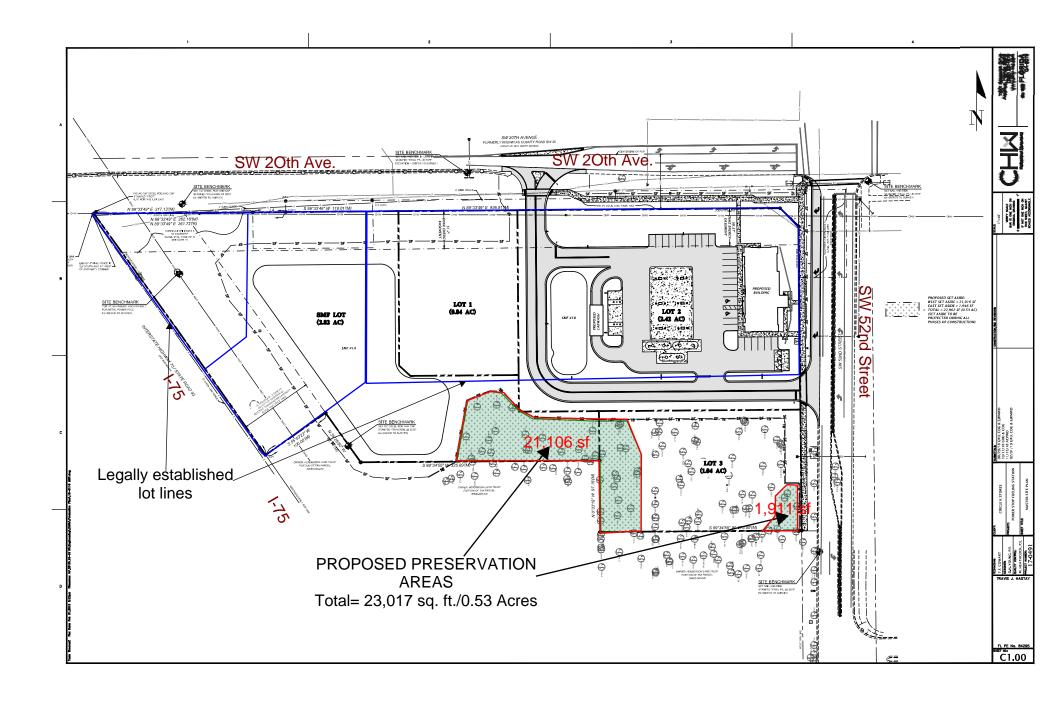
A. *Effect.* Special use permits, including any permit conditions, shall run with the land and shall be binding on the original applicant as well as any successors or assigns.

- **B.** *Modifications.* After approval and issuance of a special use permit, the following situations are allowed only with the review and issuance of a new special use permit:
- 1. A change in the boundaries of the approved site.

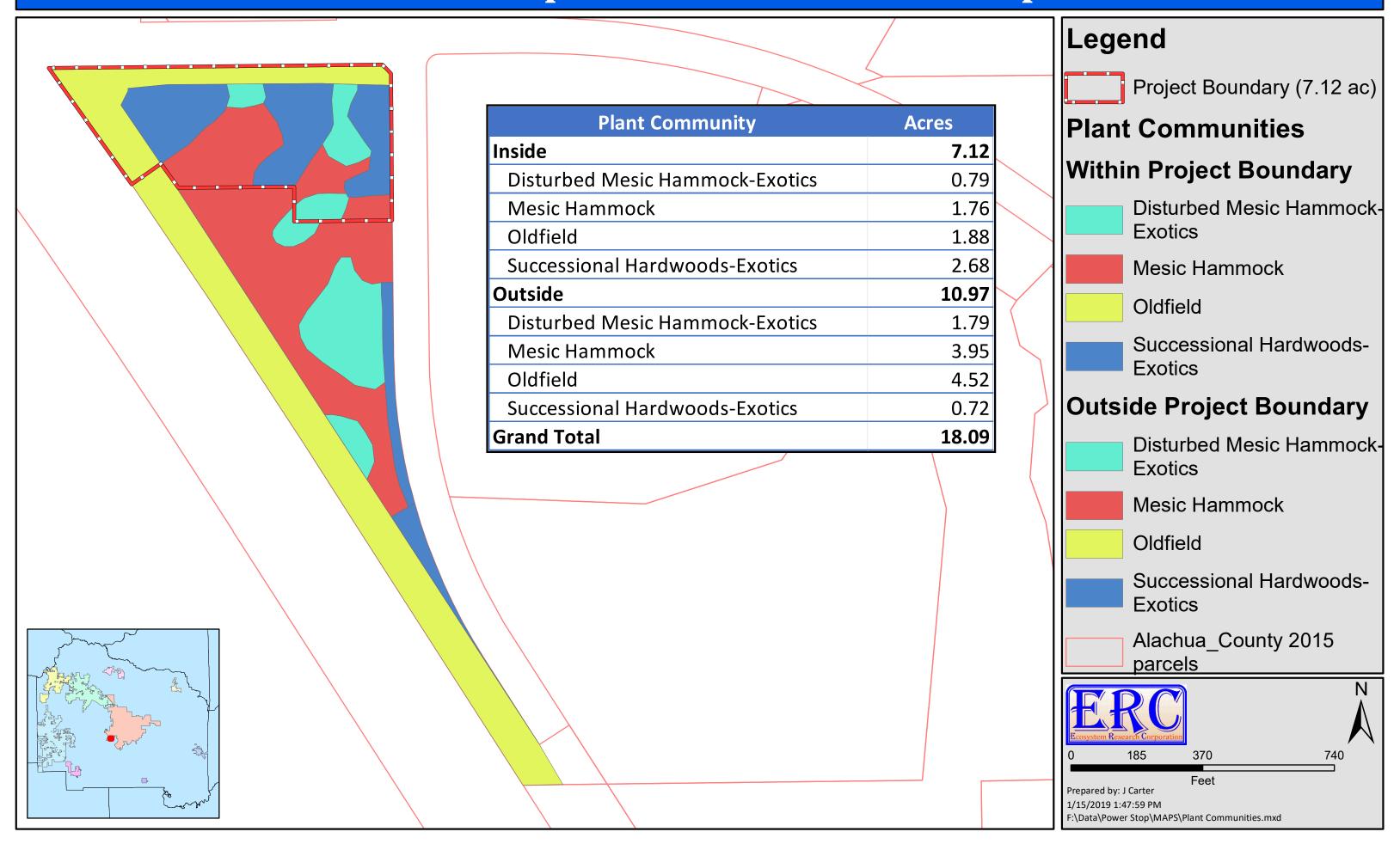
## Sec. 30-3.43. - Generally.

B. The provisions of the site development order run with and burden the real property to which it relates until release or amended in accordance with formal action of the city.

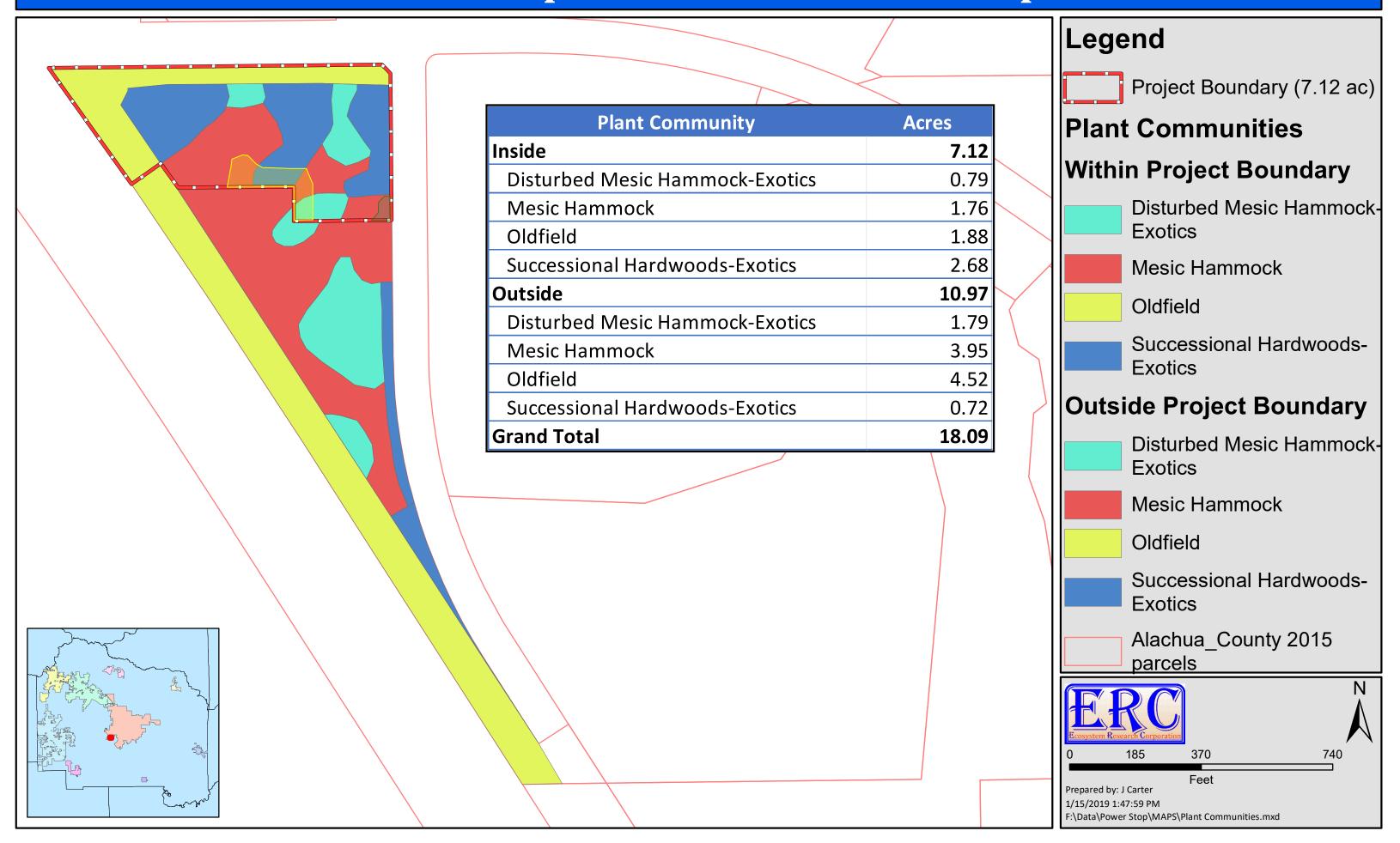
Attachment B Some Additional Maps and Development Plans



# Power Stop: Plant Communities Map

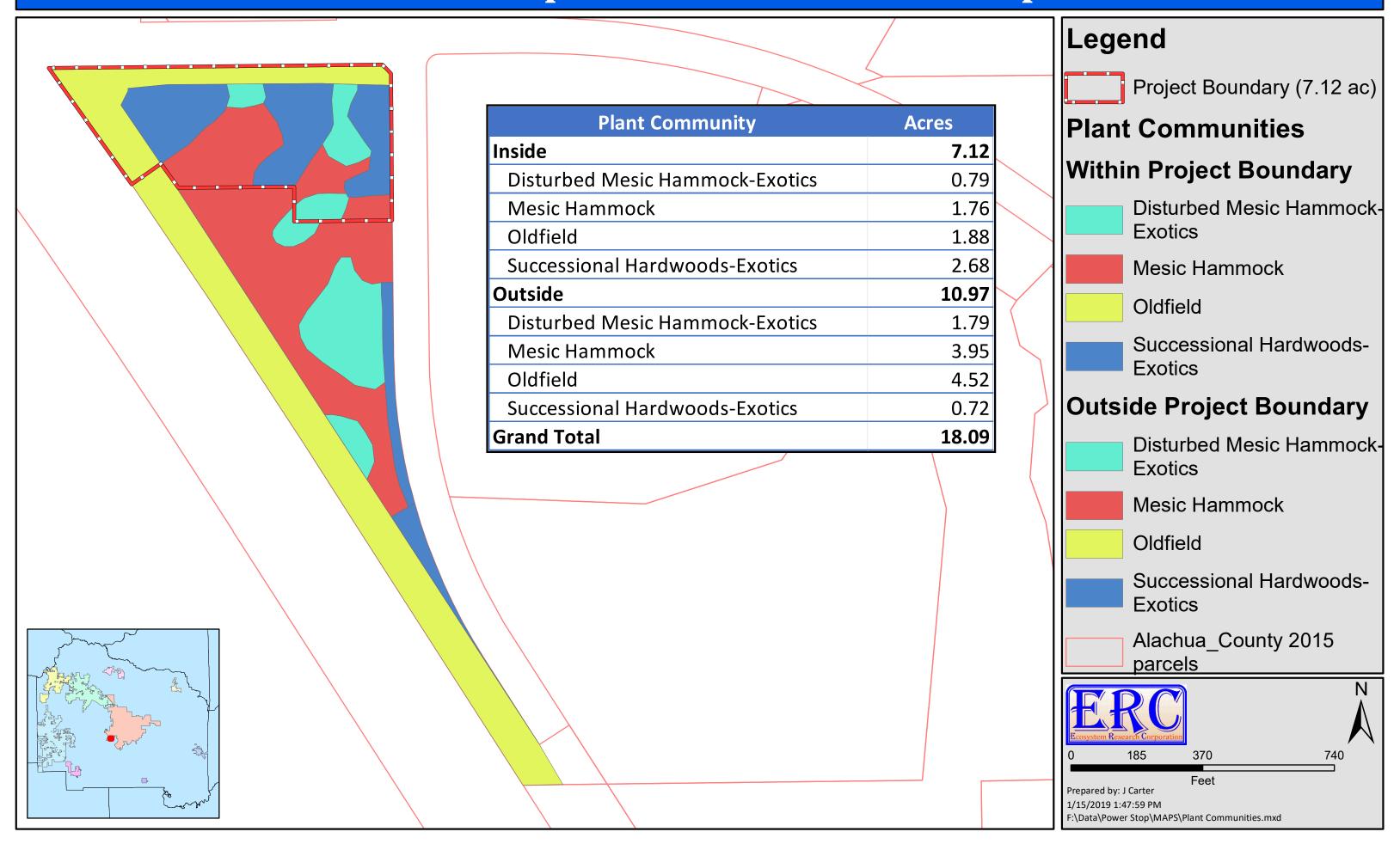


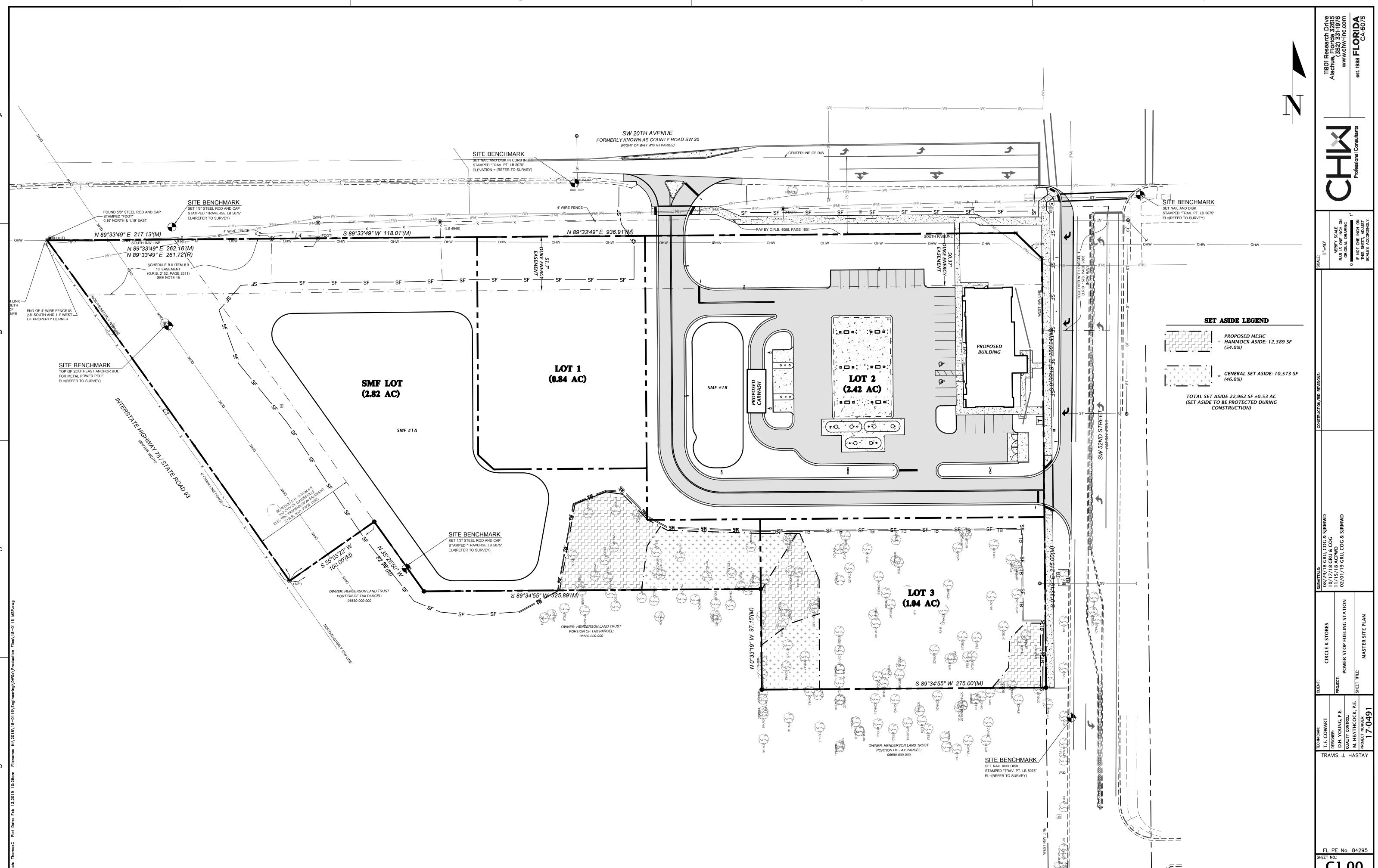
# Power Stop: Plant Communities Map



Attachment C Additional Maps and Plans Submitted by the Applicant

# Power Stop: Plant Communities Map





C1.00

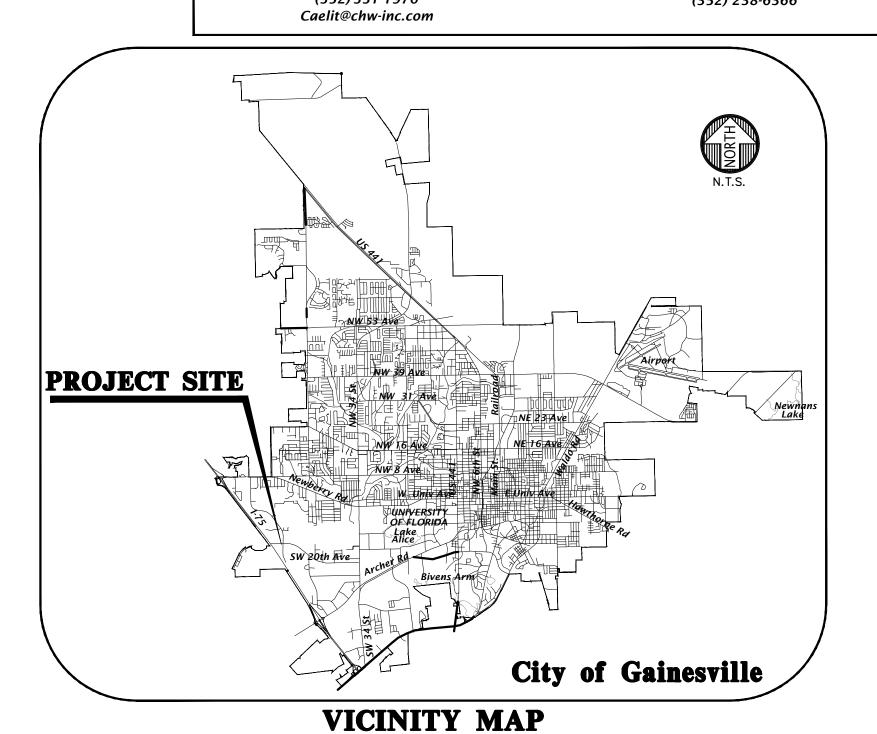
# PRELIMINARY/FINAL DEVELOPMENT PLANS

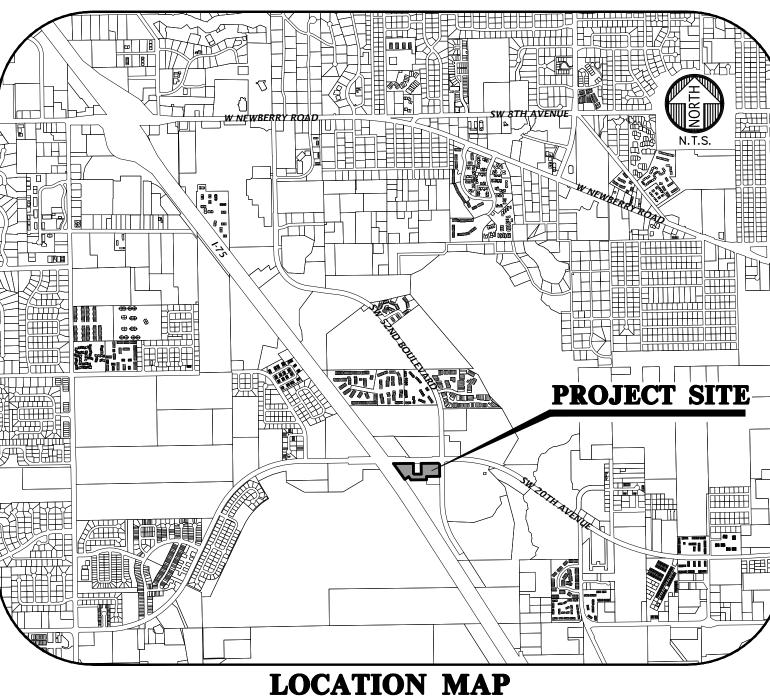
# POWER STOP FUELING STATION GAINESVILLE, FLORIDA

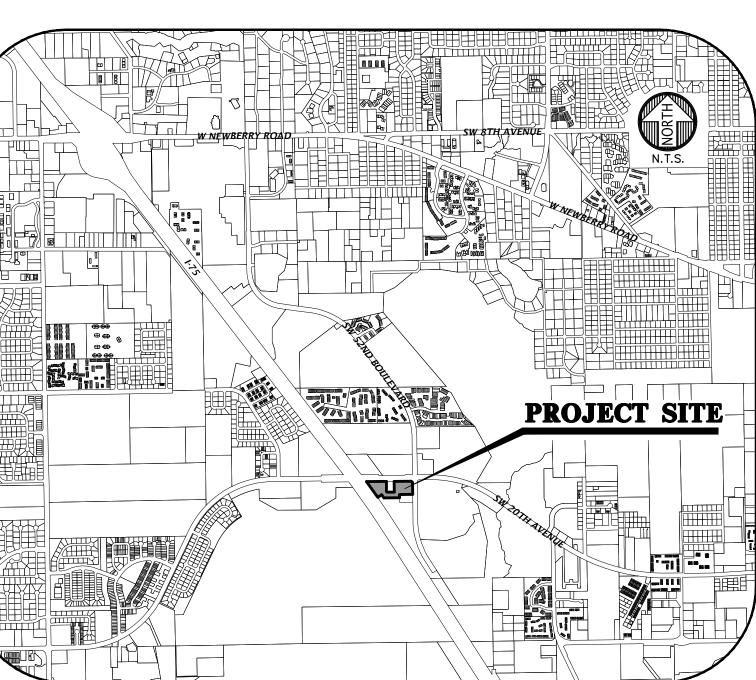
SECTION 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST

# **SUBMITTED TO:** CITY OF GAINESVILLE GAINESVILLE REGIONAL UTILITIES ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

#### OWNER/DEVELOPER URBAN HABITATS 313 NE 2ND STREET, SUITE 1105 FORT LAUDERDALE, FL 33301 **CIVIL ENGINEER ARCHITEC** ARCHITECTURE, INC. 11801 RESEARCH DRIVE 1711 NORTH HIMES AVENUE ALACHUA, FLORIDA 32615 TAMPA, FLORIDA 33607 (352) 331-1976 (813) 353-0053 TravisH@chw-inc.com LANDSCAPE ARCHITECT **PHOTOMETRIC CONSULTANT** CAELI M. TOLAR, LA KEN HUNTER HUNTER DESIGN AND CONSULTING, INC. CHW 11801 RESEARCH DRIVE 735 ARLINGTON AVE. NORTH, SUITE 308 ALACHUA, FLORIDA 32615 ST. PETERSBURG, FL 33701 (352) 331-1976 (352) 238-6366







# **GENERAL NOTES**

1. DEVELOPMENT DATA: PROPOSED DEVELOPMENT 310,232 S.F. TOTAL AREA= 100.0% 7.12 ACRES 754 S.F. EX. IMPERVIOUS PAVEMENT= 66,355 S.F. 21.4% TOTAL IMPERVIOUS AREA= 219,512 S.F. 78.6%

DESCRIPTION: THIS PROJECT CONSISTS OF THE CONSTRUCTION OF A 5,490 SF FUELING STATION BUILDING WITH AN 756 SF CAR WASH BUILDING AND ASSOCIATED UTILITIES, INFRASTRUCTURE AND STORMWATER MANAGEMENT FACILITIES.

2. SITE ZONING: MIXED USE LOW INTENSITY (MU-1)

LAND USE: MIXED-USE LOW (MUL)

3. PARKING:

CAR: 1 PER 250 SQUARE FEET OF FLOOR AREA; 5082 SQ.FT = 20 SPACES

BIKE: 10% OF CAR PARKING; 2 SPACES

**MOTORCYCLE:** N/A

26 REGULAR & 2 HANDICAP SPACES = 28 PROVIDED SPACES; 2 BIKE SPACES, 0 MOTORCYCLE SPACES

ALL UTILITY SERVICES SHALL BE INSTALLED BELOW GRADE PER LDC SECTION 30-345. WATER: - SITE WILL BE SERVED WITH A NEW 8" WATER MAIN WHICH WILL TIE INTO AN EXISTING 12" WATER MAIN LOCATED ALONG THE SOUTH SIDE OF NW 20TH AVENUE.

WASTEWATER: - WASTEWATER WILL BE DIRECTED VIA GRAVITY MAIN TO AN EXISTING GRAVITY

**ELECTRIC:** - ELECTRIC SERVICES TO THE BUILDING WILL BE FED FROM THE SW CORNER OF SW 52ND

<u>GAS:</u> - N/A

5. STORMWATER MANAGEMENT UTILITY DATA:

= 66,355 S.F.TOTAL FUTURE IMPERVIOUS AREA = 47,061 S.F.

BASIN ID	LOWEST DISCHARGE	RETENTION VOL. BELOW	RETENTION AREA AT
	ELEVATION (FT)	LOWEST DISCHARGE EL. (CF)	LOWEST DISCHARGE EL. (SF)
SMF #1A (DRY RETENTION)	79.72	51,281 CF	32,664 SF
SMF #1B (DRY RETENTION)	78.00	0 CF	1,818 SF

THE PROJECT MUST COMPLY WITH ALL NPDES CRITERIA BOTH DURING AND AFTER CONSTRUCTION.

- 6. REFUSE COLLECTION: ON-SITE DUMPSTER WITHIN SCREENED ENCLOSURE
- 7. PARKING LOT LIGHTING IS PROVIDED THROUGH A PRIVATELY OWNED AND MAINTAINED LIGHTING SYSTEM. THE LIGHT LOCATIONS PROVIDE FULL CUTOFF LUMINARIES AND COMPLIES WITH ARTICLE IX OF THE LAND
- 8. ALL NEW TRAFFIC CONTROL DEVICES (SIGNS AND PAVEMENT MARKINGS) SHALL CONFORM TO THE MANUAL ON
- 9. FIRE PROTECTION: THE BUILDING SHALL COMPLY WITH THE FLORIDA FIRE PREVENTION CODE. FIRE PROTECTION SYSTEMS PROVIDED IN THE STRUCTURES SHALL BE INSTALLED IN FULL COMPLIANCE WITH THE APPROPRIATE FIRE PROTECTION AND BUILDING CONSTRUCTION STANDARDS. ALL STABILIZED SURFACES MUST BE IN PLACE PRIOR TO ANY ACCUMULATION OF COMBUSTIBLES ON SITE.

THE BUILDING WILL NOT BE SPRINKLED. IN-BUILDING PUBLIC SAFETY RADIO ENHANCEMENT SYSTEMS SHALL B PROVIDED IN ALL BUILDINGS WHERE MINIMUM RADIO SIGNAL STRENGTH FOR FIRE DEPARTMENT COMMUNICATIONS IS NOT ACHIEVED AT A LEVEL DETERMINED BY THE AHJ. IT IS HIGHLY RECOMMENDED THAT DEVELOPERS EVALUATE AND ADDRESS THE POTENTIAL NEED FOR IBPRES IN THE EARLY STAGES OF PROJECT PLANNING. FOR ADDITIONAL SPECIFIC REQUIREMENTS PERTAINING TO SIGNAL STRENGTH, COVERAGE, MAINTENANCE AND TESTING REFER TO NFPA 72-14.4.12 AND 24.5.2. [GAINESVILLE FIRE PREVENTION AND PROTECTION CODE SECTION 10-9

10. IN-BUILDING PUBLIC SAFETY RADIO ENHANCEMENT SYSTEMS SHALL BE PROVIDED IN ALL BUILDINGS WHERE DETERMINED BY THE AHI. IT IS HIGHLY RECOMMENDED THAT DEVELOPERS EVALUATE AND ADDRESS THE POTENTIAL NEED FOR IBPRES IN THE EARLY STAGES OF PROJECT PLANNING. FOR ADDITIONAL SPECIFIC REQUIREMENTS PERTAINING TO SIGNAL STRENGTH, COVERAGE, MAINTENANCE AND TESTING REFER TO NFPA 72-14.4.12 AND 24.5.2. [GAINESVILLE FIRE PREVENTION AND PROTECTION CODE SECTION 10-9 (NFPA 1-11.10)].

11. THE OWNER OR OWNER'S AUTHORIZED AGENT SHALL DEVELOP A FIRE SAFETY PROGRAM TO ADDRESS ALL ESSENTIAL FIRE AND LIFE SAFETY REQUIREMENTS FOR THE DURATION OF DEMOLITION, ALTERATION AND CONSTRUCTION. AS SPECIFIED IN THE FLORIDA FIRE PREVENTION CODE. INCLUDEING NFPA 241. THE FIRE PREVENTION PRECAUTIONS, SITE AND BUILDING EMERGENCY ACCESS ROUTES, TEMPORARY AND PERMANENT WATER SUPPLIES, BUILDING EGRESS ROUTES, GOOD HOUSEKEEPING PRACTICES, AND FIRE PROTECITON SYSTEM INSTALLATION AND MAINTENANCE. [GAINESVILLE FIRE PREVENTION AND

> 12. NO GENERAL HAZARDS ARE PROPOSED FOR THIS PROJECT EXCEPT THAT THE PROPOSED PROJECT IS A FUELING STATION WITH UNDERGROUND FUEL TANKS.

> 13. THERE ARE NO KNOWN SPECIAL FIRE PROTECTION CONCERNS EXCEPT THAT THE PROPOSED PROJECT IS A FUELING STATION WITH UNDERGROUND FUEL TANKS.

14. THE SITE IS NOT IN THE HISTORICAL PRESERVATION DISTRICT.

15. THE SITE IS NOT IN A FLOOD PLAIN DISTRICT.

- 16. THE SITE IS NOT AFFECTED BY WETLANDS REGULATIONS.
- 17. THE SITE IS NOT LOCATED ON A NATURE PARK, GREENWAY, OR GATEWAY DISTRICT.
- 18. THE SITE IS NOT LOCATED WITHIN THE WELLFIELDS PROTECTION DISTRICT.
- STRUCTURE IS WITHIN SUBZONE 1. GREATER THAN 10.000 FEET FROM THE AIRPORT. IT IS LESS THAN 100 FEET TALL, AND IS THEREFORE NOT TO BE CONSIDERED A "POTENTIAL AIRPORT OBSTRUCTION".

THE MAXIMUM HEIGHT OF THE PROPOSED STRUCTURE IS LESS THAN 22 FEET. PER APPENDIX F SECTION II.A2.b. THIS STRUCTURE IS WITHIN SUBZONE 2, IT IS LESS THAN 200 FEET TALL, AND IS THEREFORE NOT TO BE CONSIDERED A "POTENTIAL AIRPORT OBSTRUCTION".

20. THE SITE COMPLIES WITH THE MOST CURRENT FLORIDA BUILDING CODE, AND ALL RELATED CODES AND FLORIDA

HANDICAPPED ACCESSIBILITY CODES AND STANDARDS INCLUDING THE FOLLOWING: FLORIDA BUILDING CODE - BUILDING 2017 EDITION

FLORIDA BUILDING CODE - EXISTING 2017 EDITION

FLORIDA BUILDING CODE - RESIDENTIAL 2017 EDITION FLORIDA BUILDING CODE - PLUMBING 2017 EDITION

FLORIDA BUILDING CODE - FUEL GAS 2017 EDITION

FLORIDA BUILDING CODE - MECHANICAL 2017 EDITION FLORIDA BUILDING CODE - ENERGY CONSERVATION 2017 EDITION

FLORIDA BUILDING CODE - ACCESSIBILITY 2017 EDITION

NATIONAL ELECTRICAL CODE 2017 EDITION NFPA 101 LIFE SAFETY CODE W/ FLORIDA MODIFICATIONS 2015 EDITION

FLORIDA FIRE PREVENTION CODE, 6TH EDITION.

21. TRAFFIC STATEMENT:

THE FDOT REPORT, "TRIP GENERATION RECOMMENDATION REPORT", PREPARED BY KIMLEY HORN ON OCTOBER 2014 WAS USED TO ESTIMATE THE TRIP GENERATION AND PASS-BY RATES FOR THE CONVENIENT MARKET WITH GASOLINE PUMPS. THE "ITE TRIP GENERATION MANUAL 10TH EDITION" WAS USED TO ESTIMATE THE TRIP GENERATION AND PASS-BY RATES FOR THE COFFEE/DONUT SHOP WITH DRIVE-THROUGH, AND THE FAST FOOD RESTAURANT WITHOUT DRIVE-THROUGH WINDOW LAND USES.

PROPOSED LAND USE	QUANTITY	ADT	AM PEAK HR	PM PEAK HR
CONVENIENCE MARKET WITH GASOLINE PUMPS (853) PASS-BY (77%)	4,400	2,445 1,883	177 <u>136</u>	216 <u>166</u>
NET NEW PROJECT TRIPS		562	41	50

THIS DEVELOPMENT IS WITHIN ZONE B OF THE TRANSPORTATION MOBILITY PROGRAM AREA. THIS DEVELOPMENT MUST MEET 5 TRANSPORTATION MOBILITY ELEMENT POLICY 10.1.6 CRITERIA AND WILL DO SO UTILIZING THE PAYMENT METHOD. PRIOR TO RECEIVING A FINAL DEVELOPMENT ORDER, THIS DEVELOPMENT MUST SIGN A TMPA AGREEMENT FOR THE PROVISION OF 5 TRANSPORTATION MOBILITY ELEMENT POLICY 10.1.6 CRITERIA.

TAX PARCEL # 06680-003-000, 06680-003-001 AND A PORTION OF 06680-000-000

23. BUILDING OCCUPANCY CLASS:

24. BUILDING CONSTRUCTION TYPE: PER FBC 2007, TYPE III

26. BUILDING HEIGHT: PER FBC 2007 - 21'-7.5", PER LDC - 21'-7.5"

THE ON-SITE BUILDING WILL BE CONVIENCE RETAIL STORE/REFUELING STATION.

28. CONSTRUCTION TO BEGIN BY MARCH 2019 AND TO BE COMPLETED BY NOVEMBER 2019.

# FOR REVIEW ONLY **GRU CERTIFICATION** THE WATER & WASTEWATER SYSTEM DESIGN IS IN ACCORDANCE WITH

**CURRENT GRU DESIGN STANDARDS.** DANIEL H. YOUNG FL PE No. 70780

# **GRU NOTIFICATIONS** . NOTIFY GRU WASTEWATER ENGINEERING 48

HOURS PRIOR TO CONSTRUCTION AT 352-393-1633; IF PROPER NOTIFICATION IS NOT MADE, CONTRACTOR IS SUBJECT TO STOP WORK ORDER.

NOTIFY GRU ELECTRIC INSPECTIONS 48 HOURS PRIOR TO CONSTRUCTION AT 352-339-0430; IF PROPER NOTIFICATION IS NOT MADE, CONTRACTOR IS SUBJECT TO BE SHUT DOWN.



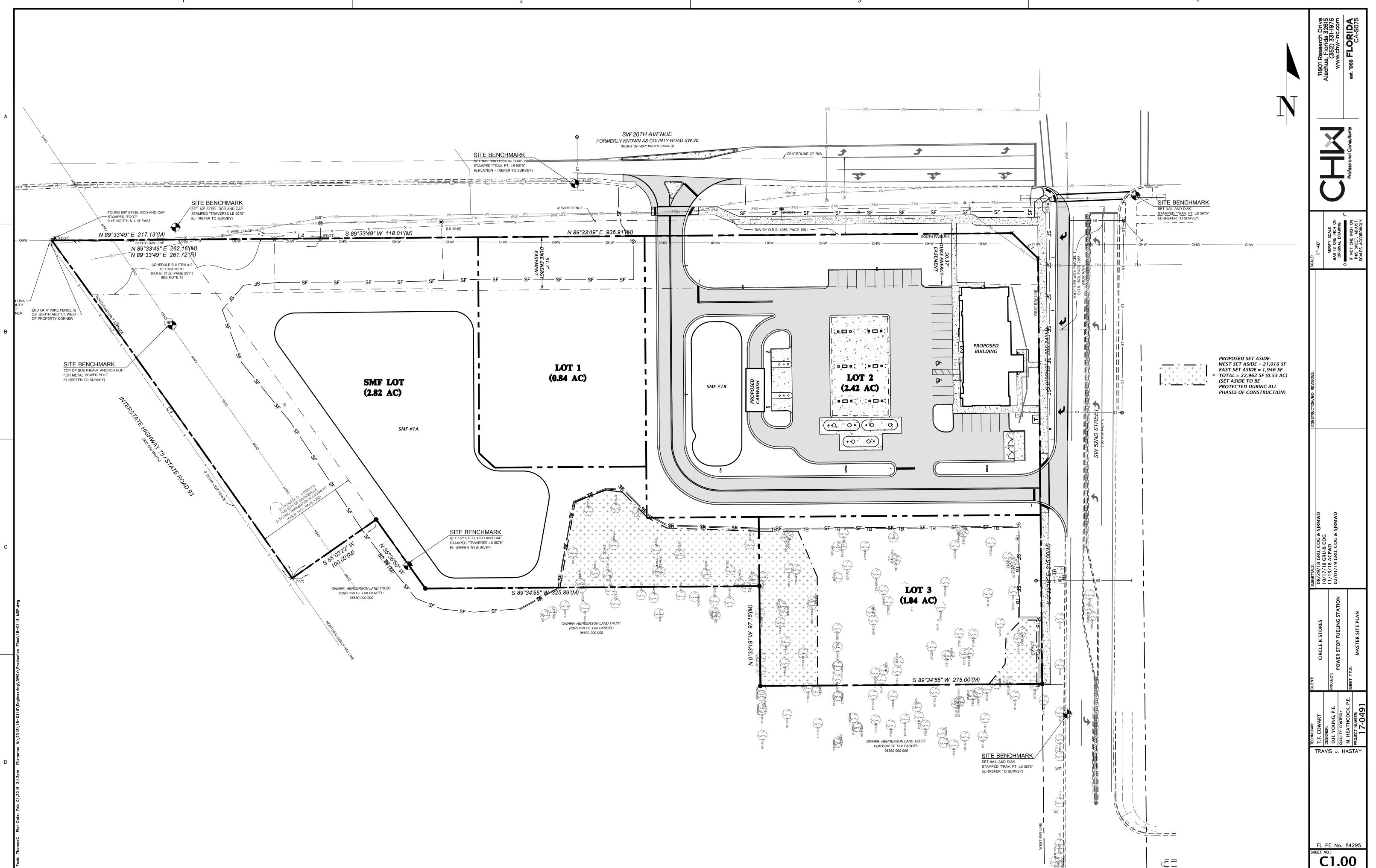
Call before you dig.

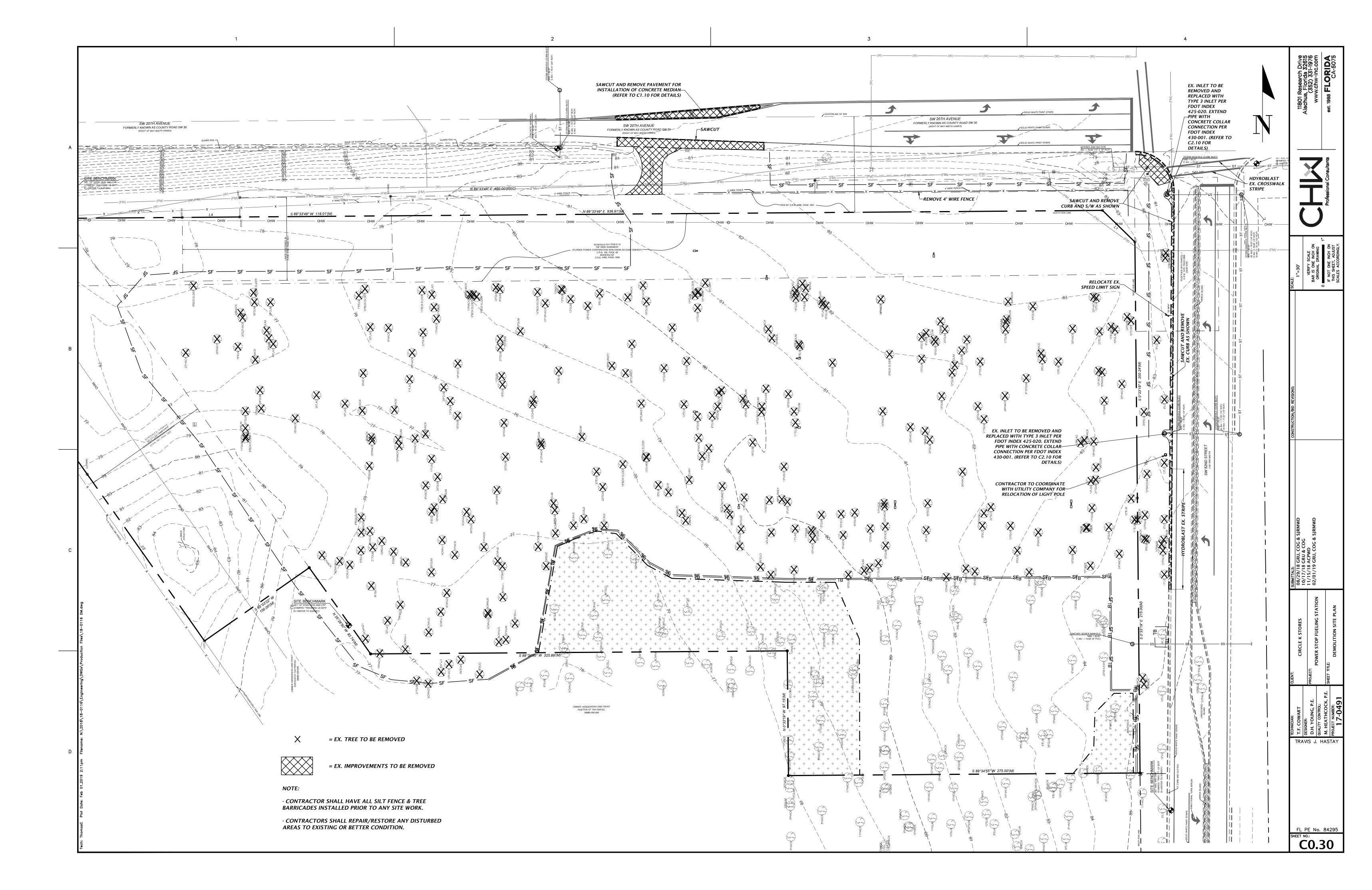
SHEET NUMBER	DESCRIPTION
C0.00	COVER SHEET AND INDEX
C0.10	GENERAL NOTES
C0.11	LEGEND
1-5 OF 5	BOUNDARY AND TOPOGRAPHIC SURVEY
C0.20	STORMWATER POLLUTION PREVENTION NOTES
C0.21	STORMWATER POLLUTION PREVENTION PLAN
C0.30	DEMOLITION AND TREE PROTECTION PLAN
C1.00	MASTER SITE PLAN
C1.10	DETAILED HORIZONTAL CONTROL AND SITE PLAN
C1.20	ACCESSIBILITY SITE PLAN AND DETAILS
C2.10	DETAILED GRADING AND DRAINAGE PLAN
C2.20	SMF LAYOUT AND CONTROL
C2.20	SMF DETAILS
C2.30	CONSTRUCTION DETAILS
C3.10	DETAILED UTILITY PLAN
C3.40	WASTEWATER PLAN AND PROFILE
LS-1	LANDSCAPE PLAN & PLAN SCHEDULE
LS-2	LANDSCAPE PLAN & GENERAL NOTES
E-1	SITE PHOTOMETRIC PLAN
A2.1	ARCHITECTURAL EXTERIOR ELEVATIONS

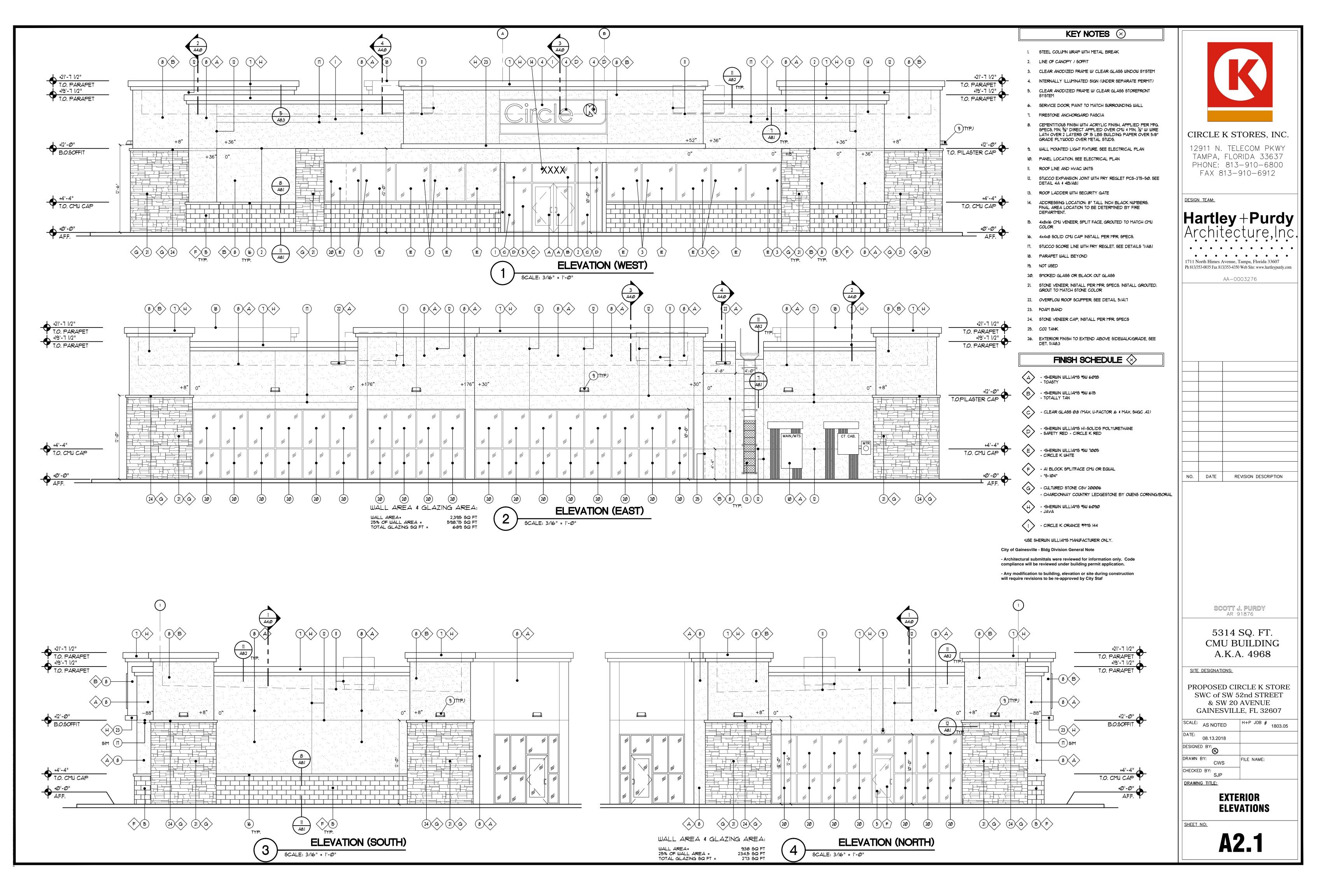
SHEET INDEX

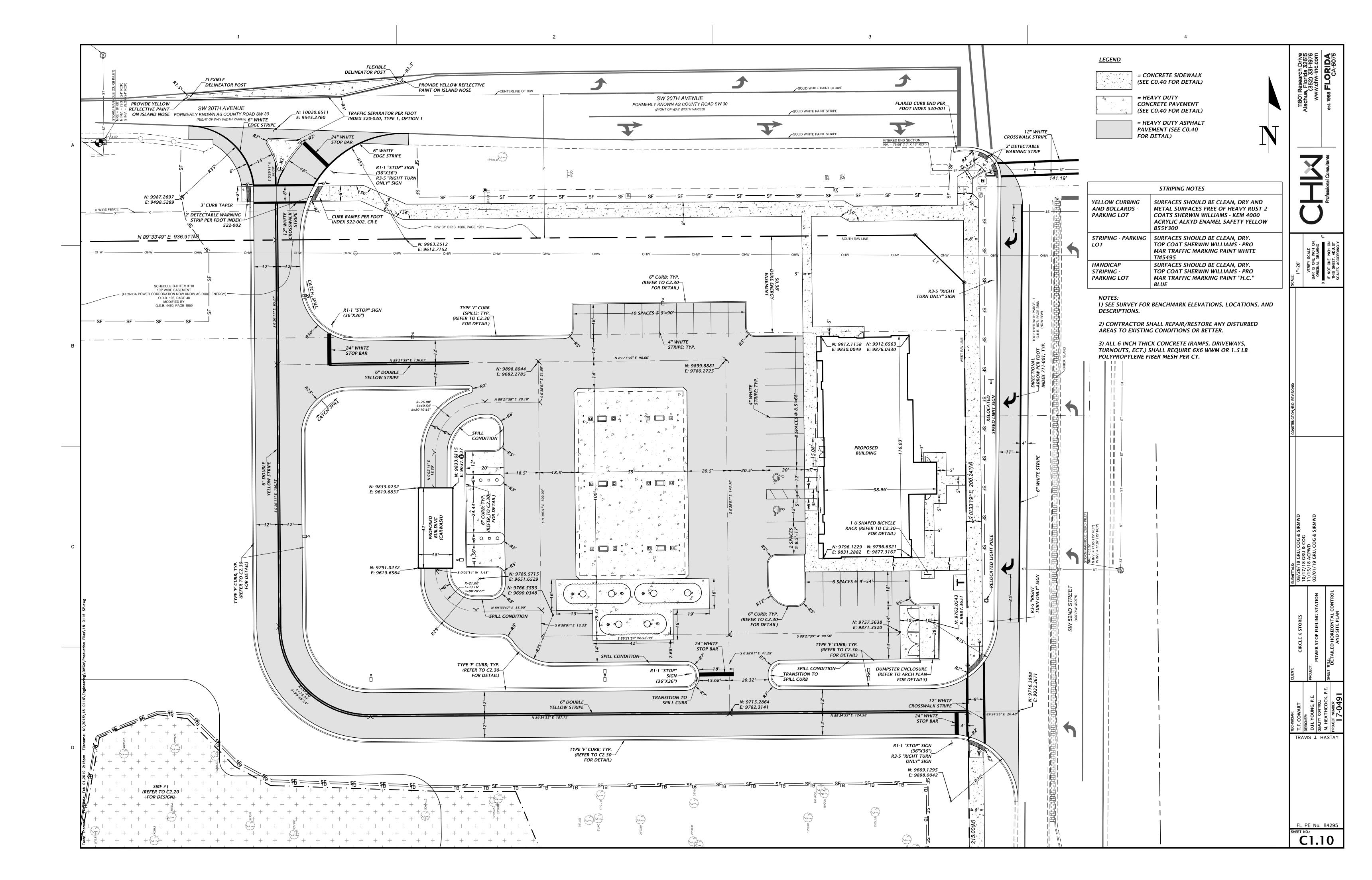
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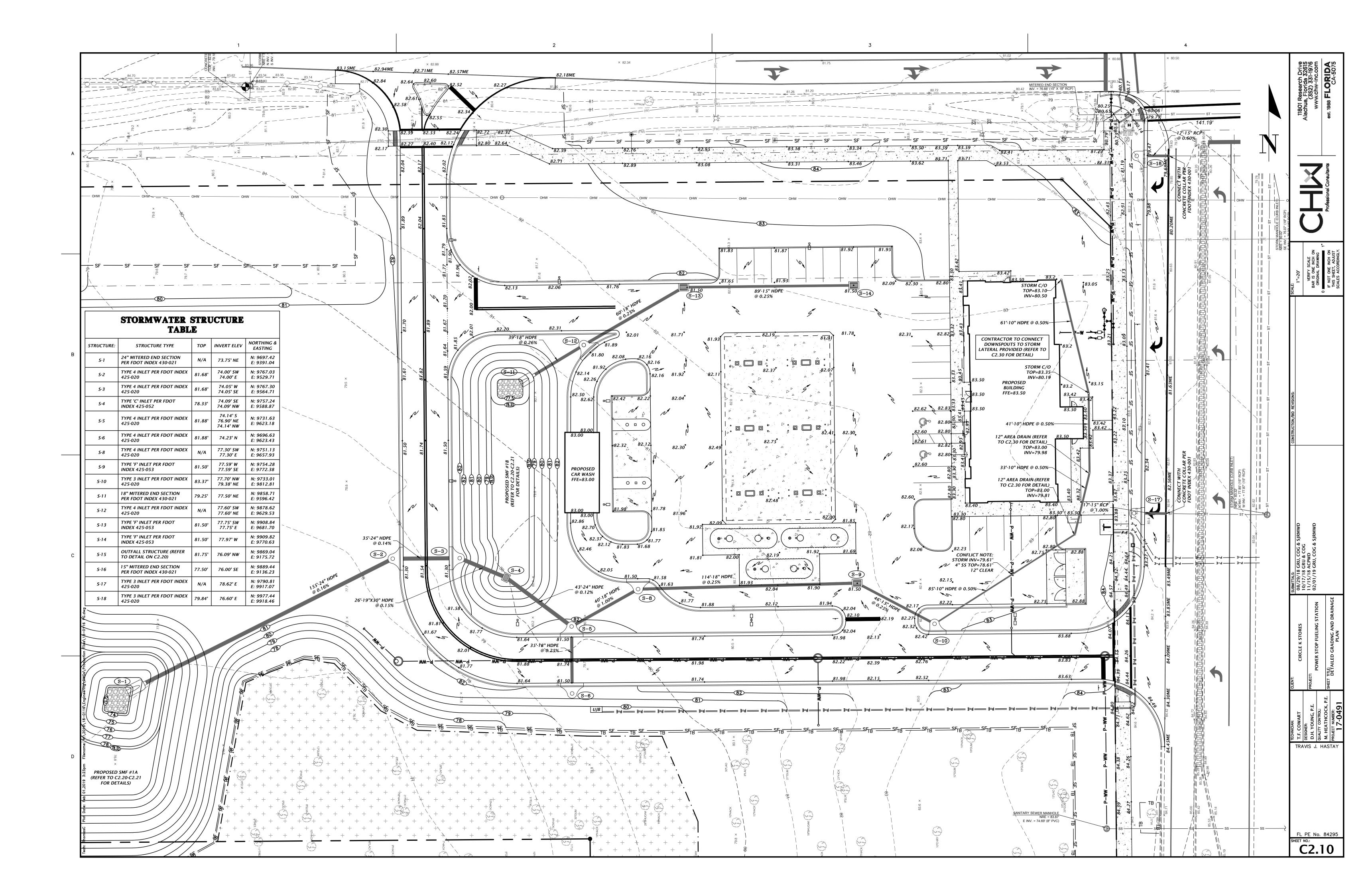
TRAVIS J. HASTA

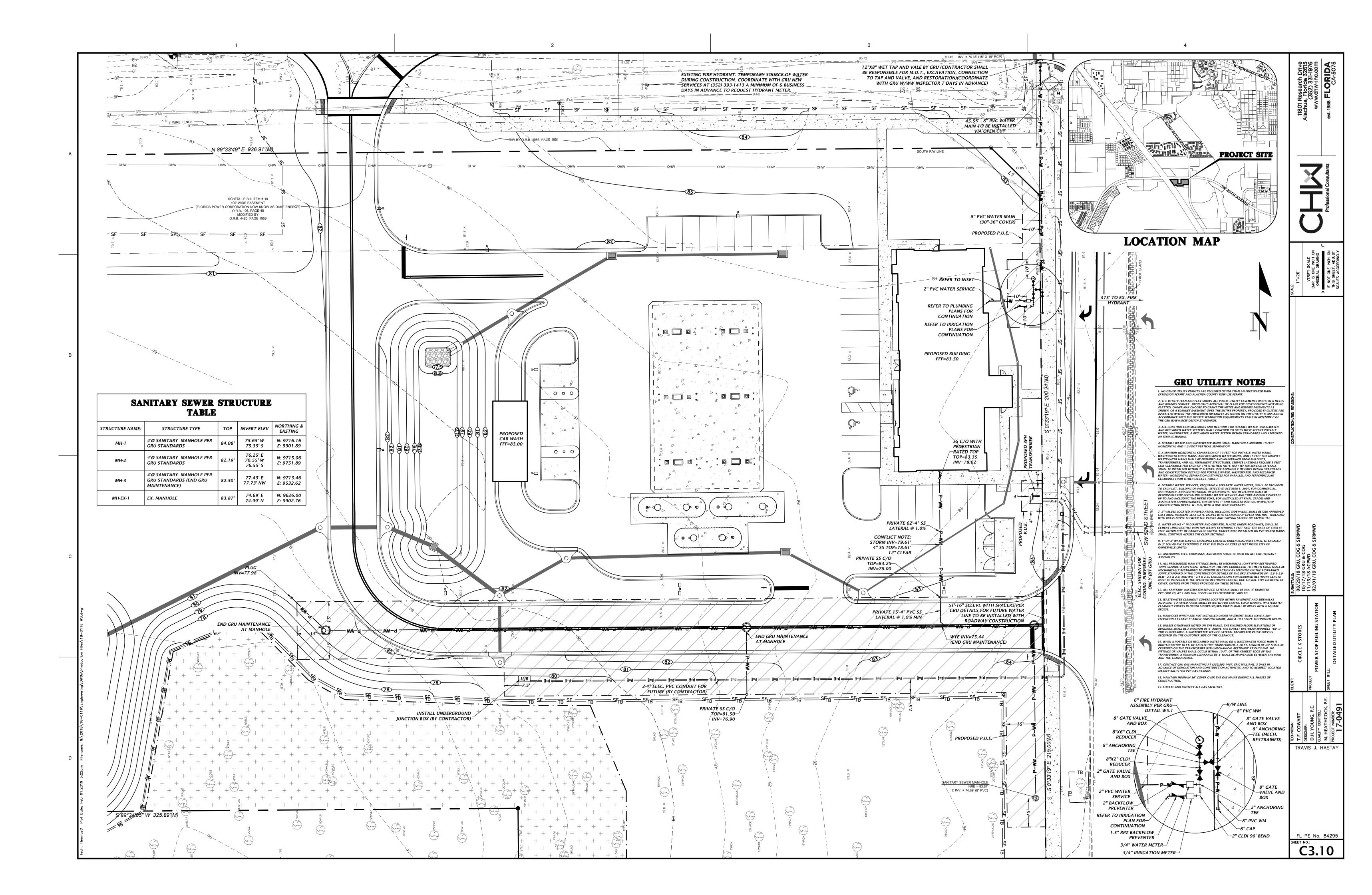














# ENVIRONMENTAL RESOURCE ASSESSMENT

Circle K Power Stop Fueling Station

City of Gainesville Alachua County, Florida

# Prepared for

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and

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# **Introduction and Project Description**

Ecosystem Research Corporation (ERC) was retained by Mr. Jason Robertson representing Urban Habitats, Inc. to perform an Environmental Resource Assessment (ERA) and Listed Species Survey of a Project Site located in southwest Gainesville within south central Alachua County. The proposed development site lies within the southwest quadrant of the intersection of SW 20th Avenue and SW 52nd Street (Figure 1). The Project Site lies within the City of Gainesville municipal jurisdiction limits. The proposed Project site consists of old growth disturbed forests habitat and is proposed for development of a Circle K Power Stop Fueling Station with parking facilities, convenience store, and associated stormwater management facilities.

The Project Site consists of 7.12 acres and comprising three (3) Alachua County tax parcels and a subdivided portion of an adjacent parent parcel. The parcels and acreages are shown on Figure 2 and tabulated, as follows:

Number	Parcel Number	Acreage
1	06680-003-000	0.60
2	06680-003-001	1.25
3	06680-003-000	2.91
4	06680-000-000*	2.36
	Total	7.12

<sup>\*</sup> Portion of Parcel 06680-000-000 (13.93 acres)

The total acreages of the existing parcels and the parent parcel totals 18.09 acres. The generalized Proposed Development Concept Plan is provided as Figure 3. The Project Site Boundary, Topographic and Tree Survey are provided as Figure 4 (Sheets 1–5) and indicates the total Project Site acreage equals 7.12 acres.

# Environmental Resource Assessment Methodology Field Survey

A field survey of the Project Site was performed 10 and 13 December 2018 to determine the general existing ecological condition of the area and determine if any listed plant or animal species or other environmental constraints were present within the boundaries of the Project Parcel or immediately adjacent parcels. The survey was performed by Peter M. Wallace, MS (Certified Gopher Tortoise Agent #GTA-14-00037A) and Robert A. Garren, MS (Certified Gopher tortoise Agent #GTA-09-00057D) of Ecosystem Research Corporation. A survey of the Project Site was performed by repeatedly traversing the site with a series of pedestrian transects. Observations regarding plant species composition were recorded at 987 locations within the Project Site and adjacent areas. At each location, plant species, plant habitat type, observations of animal occurrences, and GPS

position coordinates were recorded with a hand-held Garmin GPSmap 76CSx unit. Photographs were taken to document the general plant communities, land uses, and historical activities present within the Project Site during the period of the survey. Photographs that show the general physical appearance of the Project Site are contained within **Attachment 1**.

# **Data Search**

To complement the data obtained from the field survey, several existing GIS databases were queried to obtain available published site-specific GIS data for the Project Site and surrounding areas. These databases include the following:

- 1. USGS Gainesville West Quadrangle map
- 2. Alachua County 2001 LiDAR topography
- 3. Natural Resource Conservation Service (NRCS) Soils
- 4. Federal Emergency Management Service (FEMA)
- 5. National Wetlands Inventory (NWI)
- 6. Alachua County composite wetlands map
- 7. Alachua County Floridan Aquifer High Recharge Area map
- 8. Alachua County Hazardous Materials Storage Facilities
- 9. Alachua County Historic Structures
- 10. Florida Fish and Wildlife Conservation Commission (FWC) Eagle Nest Locator
- 11. USFWS Federally Listed Species Database
- 12. Florida Fish and Wildlife Conservation Commission (FWC) 2016 Florida Black Bear Forage Range and Habitat Database
- 13. Alachua County Strategic Ecosystem Overlay Coverage
- 14. Historical Aerial Photographs from 1937 to 1979

The field assessment and data review assessment performed for the Project Site addresses the specific requirement of the City of Gainesville Comprehensive Plan and Land Development Regulations and Alachua County's Article II Countywide Wetlands Protection Code defined within Chapter 77 Water Quality Standards and Management Practices of the Alachua County Land Development Code. As part of this survey, the entire limits of the Project Site were evaluated as well as the entire limits of Tax Parcel No. 06680-000-0000 lying outside of the Project Site boundaries. This total area equals 18.09 acres and is considered the Resource Assessment Area (RAA).

# Results of Data Review

# Published Geographic and Hydrologic Data Review

# **USGS** Gainesville West Quadrangle

The Project Site lies within the geographic area defined by the USGS Gainesville West Quadrangle map (**Figure 5**). The site lies within Section 10, Township 10 South, Range 19 East. The Project Site historically occurred on a ridge with elevations of  $\pm 80$  ft (NGVD 29) lying west of the section of Hogtown Creek that connects Hogtown Prairie

located to the northeast to Lake Kanapaha which lies to the southwest. Terwilliger Pond lies ±1 mile north of the Project Site. Historically, the Project Site was part of a large upland hardwood forested system known as Sugarfoot Hammock. The extent of the hammock has been significantly reduced since 1937 and bisected by many high-volume roads to include I-75, SW 20th Avenue, NW 62nd Blvd., and NW 52nd Street. In the extent of the USGS coverage shown on **Figure 5**, the upland and wetland boundary of Hogtown Creek and adjacent seepage boundary of Sugarfoot Hammock lie within the general 60–61 ft (NAVD 88) contour range.

# Alachua County 2001 LiDAR Topography

The Alachua County 2001 LiDAR topography of the Project Site and surrounding area is provided as **Figure 6**. Based on the County 1-ft LiDAR, the Project Site slopes from a high elevation of 84 ft (NAVD 88) located in the northeast corner of the site to a low elevation of 76 ft located in the northwest corner of the site. In the southwest corner of the site, there is a round red brick structure that was constructed on an elevated mound of dirt that extends in elevation from 70 ft to 83 ft (NAVD 88) high. The site historically occupied an upland ridge that sloped west to the Hogtown Prairie and Split Rock area located north of Lake Kanapaha. In general, the LiDAR topography reflects the ground topography shown on the site-specific topographic survey.

# **NRCS Soils Mapping**

The NRCS soils map for the Project Site and surrounding area is provided on **Figure 7**. The soils coverage shows there is one (1) soil mapping unit located on the Project Site which is Millhopper sand, 0–5% slopes. Millhopper sands are moderately well-drained soils with an Argillic (clay) horizon that occurs from 58 inches below the surface to 86 inches below the surface. Based on the geotech survey, the clay layer is continuous across the site and in surrounding areas. The clay lens will tend to perch stormwater for short periods of time following extreme rain events.

# **FEMA Flood Zone Map**

The FEMA flood zone for the Project Site and surrounding area is provided on **Figure 8**. All areas of the Project Site occur within Zone "X" and lie outside of the calculated 100-year flood prone area.

# National Wetlands Inventory Database

The results of the National Wetlands Inventory (NWI) database search are provided on **Figure 9**. The coverage shows the general location of the Hogtown Creek and Hogtown Prairie wetland systems that are located east and south of the Project Site.

# **Alachua County Composite Wetlands Coverage**

The Alachua County Composite Wetlands coverage includes the wetland FLUCCS coverage generated by the Water Management Districts combined with the hydric soils coverage for the County. The coverage for the Project Site and surrounding area is included as **Figure 10**. As shown on the map, the coverage is erroneous. The mapping

error is related to the mapping of deciduous canopies of Mesic Hammocks in the area as wetlands. Wetlands in the area are primarily dominated by deciduous species which give a characteristic aerial signature. On the Hawthorn Formation in Alachua County the uplands are also covered with a deciduous Mesic Forest community that is difficult to distinguish from the wetland canopy unless aerial topography is used. In creating the Composite coverage, the publisher of this coverage has not accounted for the topographic differences between upland and wetland deciduous canopy areas.

# Alachua County Floridan Aquifer High Recharge Area

The Project Site as related to the Floridan Aquifer Recharge Areas is provided on Figure 11. The Project Site is located within the Stream-to-Sink Basin within the Vulnerable Zone of the Floridan aquifer. Within the zone, clay confining layers that exist below the surface may be discontinuous, therefore recharge from the surface may occur. In the area of the Project Site, sinkholes occur southwest of the site within Split Rock and Hogtown Prairies. Runoff from this area is substantial and surface drainage is lateral with vertical drainage inhibited by substantial clays as described in the geotech report. There are substantial clays present at the site below a sandy layer that extends from the surface to  $\pm 2.5$  ft. The habitat south of the Project Site and the habitat within the Project Site is more mesic than xeric indicating that lateral subsurface flows to offsite areas is probably more prominent than vertical subsurface flow directly to limerock. The dominance of sweetgum (Liquidambar styraciflua L.), hackberry (Celtis laevigata Willd.), and box elder (Acer negundo L.) in the canopy of this site indicates that clay is prominent in the soil profile. There were NO sinkholes or landscape depressions observed within the Resource Assessment Area.

# Alachua County Hazardous Materials Storage Facilities

The locations of Hazardous Materials Storage Facilities monitored by Alachua County are provided in the area of the Project Site are shown on **Figure 12**. The coverage shows there is one facility located  $\pm 2500$  ft east of the Project Site, however, none are present in the immediate vicinity of the Project Site.

# Historic Structures Database

The locations of historic structures contained within the County's historic structures database are provided on **Figure 13**. There are **NO** historic structures that occur in the area of the Project Site. There are several historic structures defined southeast of the Project Site.

# Strategic Ecosystems

The Project Site occurs within the mapped extent of the Hogtown Prairie Strategic Ecosystem as it was defined in 1996 by KBN/Golder and Associates. However, a large extent of this strategic ecosystem in the vicinity of the Project Site has been developed after 1996 prior to adoption of the Strategic Ecosystem Overlay areas by the City of Gainesville in 2012. The developed areas of the strategic ecosystem should have been deleted from the mapped coverage prior to adoption by the City. It is misleading and

irresponsible for this to have not been done. The mapped coverages adopted by the City have their origins in 1986 when the habitats were first mapped by the County and most have not been corrected to reflect over 30 years of development in these areas.

# **Published Listed Species Occurrence Data**

The results of the Florida Natural Areas Inventory (FNAI) database search for the Project Site and surrounding area are provided on **Figure 15**. The database shows that Godfrey's swampprivet (*Forestiera godfreyi* L. C. Anderson) has been reported north of the Project Site. Past field surveys have shown that Godfrey's swampprivet occurs on the Project Site and the current survey verified that the species is still present.

From the available data, it is possible that the site may at times harbor transient eastern indigo snakes. There is no xeric habitat onsite and no pocket gopher burrows or gopher tortoise burrows onsite, therefore the site is unlikely to support a continuous population of indigo snakes. The site is small, isolated by high volume roads, and there are NO available surface water sources; therefore, the Project Site only provides marginal habitat for non-roaming animal species. There is NO native habitat connection to Hogtown Creek to the south. There is a minimal potential that indigo snakes are present, therefore, construction of this area should be consistent with the Standard Protection Measures for the Eastern Indigo Snake. United States Fish and Wildlife Service. 12 August 2013.

# **Results of Field Survey**

The general results of the field survey are provided on Figure 16. On this figure the GPS locations where site-specific data were recorded are shown as categorized with respect to the general type of data recorded. The GPS icons shown on Figure 16 represent data collected at 1620 locations within the Project Site. As can be seen from the distribution of the data collection icons shown on Figure 16, the survey area incorporated the entire limits of the Project Site as well as the entire area of Parcel No. 06680-000-000 which lies to the south of the Project Site. Therefore, the survey area shown on Figure 16 is considered to be the Resource Assessment Area (RAA) for this study. This approach was performed because the City intends to purchase the southern section of Parcel No. 06680-000-000 to use for construction of stormwater management facilities associated with the extension of SW 62nd Blvd./SW 52nd Street which will transect along the east perimeter of the Project Site. The relationship of the "draft" proposed location of the City's road basin in relation to the Project Site and a remnant undeveloped section of Parcel No. 06680-000-000 is provided as Figure 17. The general existing conditions found on the Project Site are shown in Photographs 1-31 provided in Attachment 1. Photographs are referenced to specific GPS photo stations as shown on Figure A-1 and described in Table A-1. The common names and botanical names of all plant species encountered during the survey are provided as Table 1.

# **Existing Condition of the Project Site**

As shown on Figure 16, there are four (4) primary plant communities that can be described for the Project Site. From the survey data, a plant community habitat map has

been created for the RAA and is provided as **Figure 18**. The plant communities are generally described as follows:

# 1. Successional Hardwoods-Exotics

Project Site Acreage 2.68 Non-Project Site Acreage 0.72 **Total RAA Acreage 3.40** 

This very disturbed habitat type occupies 37.6% of the Project Site acreage and 18.8% of the total RAA acreage. Within the RAA, this disturbed habitat is concentrated within the Project Site where most of the intense historical disturbances have taken place, including land clearing, road construction, logging, canopy removal, and trash deposition. The canopy vegetation in the area is dominated by laurel oak (Quercus hemisphaerica Bartr.), small live oak (Quercus virginiana Mill.), black cherry (Prunus serotina var. serotina Ehrh.), box elder (Acer negundo L.), sweetgum (Liquidambar styraciflua L.), and hackberry (Celtis laevigata Willd.). In many areas the canopy has been removed and the vegetation cover consists of a tangle of shrubs and vines to include Chinese privet (Ligustrum sinense Lour.), mimosa (Albizia julibrissin Durazz.), chinaberry (Melia azedarach L.), citrus (Citrus x aurantium L.), Chinese wisteria (Wisteria sinensis [Sims] Sweet), muscadine (Vitis rotundifolia Michx.), kudzu (Pueraria montana [Lour.] Merr. var. lobata [Willd.] Maesen & S.M. Almeida), skunk vine (Paederia foetida L.), and airpotato (Dioscorea bulbifera L.). The groundcover in areas is a dense coverage of several exotics to include small-leaf spiderwort (Tradescantia fluminensis Vell.), scratchthroat (Ardisia crenata Sims), and tuberous sword fern (Nephrolepis cordifolia (L.) C. Presl). Extensive groundcover of the nuisance (weedy) native species Florida betony (Stachys floridana Shuttlew. ex Benth.) is also present throughout this habitat. Within the Project Site, old agricultural roads are present as well as several inactive homeless camps. Significant deposition of trash and debris has occurred within areas designated on Figure 19.

# 2. Oldfield

Project Site Acreage 1.88 Non-Project Site Acreage 4.52 **Total RAA Acreage 6.40** 

The oldfield habitat is a very disturbed, routinely cleared and mowed successional community that occupies the powerline easements that surround the site to the north and west. These areas are seasonally mowed to reduce the invasion and growth of trees and shrubs so the appearance of the areas is often very different from one period to the next. The vegetation is dominated by a dense, often impassable growth of sand blackberry (*Rubus cuneifolius* Pursh) and Canada goldenroad (*Solidago canadensis* L. var. *scabra* T.

& G.) is densely distributed throughout the area. Common species include bushy bluestem (Andropogon glomeratus (Walt.) BSP var. pumilus (Vasey) Vasey ex L.H. Dewey), kudzu (Pueraria montana [Lour.] Merr. var. lobata [Willd.] Maesen & S.M. Almeida), guineagrass (Urochloa maxima [Jacq.] R.D. Webster), Brazilian vervain (Verbena brasiliensis Vell.), bahiagrass (Paspalum notatum Flugge), bermudagrass (Cynodon dactylon [L.] Pers.), greenbrier (Smilax bona-nox L.), and eastern gamagrass (Tripsacum dactyloides [L.] L.). Tree species from the adjacent hammock invade; however, are routinely removed by mowing and herbicide application within the mapped habitat area as shown on Figure 18. There are roadways improved with limerock, large areas of fill, large power poles and powerlines and some construction of buildings for an unknown purpose that occur within this mapped habitat area.

# 3. Disturbed Mesic Hammock-Exotics

Project Site Acreage 0.79 Non-Project Site Acreage 1.79 **Total RAA Acreage 2.58** 

The Disturbed Mesic Hammock-Exotics community occupies 11.1% of the Project Site and 14,3% of the total RAA acreage. Within this mapped area, the canopy trees are generally small with larger trees having been removed by logging, disease, or storms. The canopy is primarily comprised of box elder (Acer negundo L.), sweetgum (Liquidambar styraciflua L.), hackberry (Celtis laevigata Willd.), winged elm (Ulmus alata Michx.), black cherry (Prunus serotina var. serotina Ehrh.), and Carolina laurel cherry (Prunus caroliniana [Mill.] Aiton). The subcanopy and groundcover is composed of a host of exotics to include a dense grove of scratchthroat (Ardisia crenata Sims) and small-leaf spiderwort (Tradescantia fluminensis Vell.), with Chinese privet (Ligustrum sinense Lour.), air-potato (Dioscorea bulbifera L.), tuberous sword fern (Nephrolepis cordifolia (L.) C. Presl), mimosa (Albizia julibrissin Durazz.), loquat (Eriobotrya japonica [Thunb.] Lindl.), citrus (Citrus x aurantium L.), and other exotics being present. These habitat areas have been differentiated from the Successional Hardwoods-Exotics habitat primarily based on the greater abundance of laurel oak (Quercus hemisphaerica Bartr.) within the latter habitat. Both of these habitat areas are significantly disturbed with ground disturbance, vegetation disturbance, and significant exotic pest plant invasion.

#### 4. Mesic Hammock

Project Site Acreage 1.76 Non-Project Site Acreage 3.95 **Total RAA Acreage** 5.71

The Mesic Hammock community is the least disturbed community onsite in comparison to the other habitats previously described. However, it still remains a significantly

disturbed area with respect to hydrology, continuity with adjacent habitats, and invasion of nuisance native species such as laurel oak (*Quercus hemisphaerica* Bartr.), and Florida betony (*Stachys floridana* Shuttlew. ex Benth.) as well as smaller populations of the exotic groundcover species previously described in the adjacent onsite habitats. In addition, with this habitat there is mortality of large canopy trees such as red bay (*Persea borbonia* [L.] Spreng. var. *borbonia*), hackberry (*Celtis laevigata* Willd.), and box elder (*Acer negundo* L.) as well as buttress and root rot of these species. All of these onsite habitats depend on a relatively shallow groundwater table in which lateral subsurface flow across the site occurs. This hydrologic balance has been significantly disturbed by construction of all of the adjacent highway, powerlines, stormwater facilities, and residential development that has occurred in the area.

The prominent feature in this habitat is the large trees and without the adjacent disturbances would be a typical climax mesic hammock community. The canopy vegetation consists of large individuals of southern magnolia (Magnolia grandiflora L.), pignut hickory (Carya glabra [Mill.] Sweet), swamp chestnut oak (Quercus michauxii Nutt.), Shumard oak (Quercus shumardii Buckley), occasional bastard white oak (Quercus austrina Small), red bay (Persea borbonia var. borbonia [L.] Spreng.), hackberry (Celtis laevigata Willd.), box elder (Acer negundo L.), and black cherry (Prunus serotina var. serotina Ehrh.). The understory in this area consists of a large number of red bay (Persea borbonia var. borbonia [L.] Spreng.) seedlings as well as saplings of soapberry (Sapindus saponaria L.); however, large individuals of soapberry were lacking. As compared to high quality Mesic Hammock areas investigated by ERC in Alachua County, this habitat had an overabundance of woody vines and small red bay (Persea borbonia var. borbonia [L.] Spreng.) and laurel oak (Quercus hemisphaerica Bartr.) in the understory and a relative lack of groundcover species. There is a proliferation of exotics in areas but not to the degree that was seen in the adjacent habitats. Compared to other Mesic Hammock canopy areas, this habitat has a large percentage of hackberry (Celtis laevigata Willd.) and box elder (Acer negundo L.) in the canopy and a notable lack of eastern hophornbeam (Ostrya virginiana [Mill.] K. Koch) anywhere onsite. In addition, most Mesic Hammock climax habitats are often open and park-like while this habitat has a dense subcanopy and shrub layer compared to other habitats. Common shrub and small trees include beautybush (Callicarpa americana L.), winged elm (Ulmus alata Michx.), roughleaf dogwood (Cornus asperifolia Michx.), eastern redbud (Cercis canadensis L.), flowering dogwood (Cornus florida L.), flatwoods plum (Prunus umbellata Elliott), American strawberrybush (Euonymus americanus L.), and smallflower mock buckthorn (Sageretia minutiflora [Michx.] C. Mohr). Godfrey's swampprivet (Forestiera godfreyi L. C. Anderson) was found in thirteen (13) locations through the RAA.

# Surveys for Listed Plant and Animal Species

Listed species surveys were conducted in all areas shown on Figure 16. The results of the listed species surveys are summarized on **Figure 20**. Godfrey's swampprivet (*Forestiera* 

godfreyi L. C. Anderson) was found in thirteen (13) locations within the RAA while a milkweed vine which is either angularfruit milkvine (Gonolobus suberosus [L.] R.Br.) or Florida spiny pod (Matelea floridana [Vail] Woodson) was found at twenty-one (21) locations within the site. Several stems of Godfrey's swampprivet (Forestiera godfreyi L. C. Anderson) identified on previous surveys were determined to be dead. Previous surveys had not identified the milkweed vine (Gonolobus/Matalea) as occurring on the site. Godfrey's swampprivet (Forestiera godfreyi L. C. Anderson) is listed as an endangered plant and is rare and is known from the historical extent of the Sugarfoot Hammock habitat. Angularfruit milkvine (Gonolobus suberosus [L.] R.Br.) is not listed, while Florida spiny pod (Matelea floridana [Vail] Woodson) is listed as Endangered. These vines were not flowering and it is not possible to accurately differentiate between the two species unless the flowers or fruits are present. However, all individuals seen onsite were sterile. Although listed, Florida spiny pod (Matelea floridana [Vail] Woodson) occurs in almost every forested or fence row habitat in Alachua County, so for a listed species it is locally very abundant. All of these species are significantly difficult to find during field surveys so the actual population may be underestimated. However, these species have historically been and continue to be present in these areas. There were NO gopher tortoise burrows found onsite. There were  $\hat{NO}$  signs of hogs and minimal signs of deer and armadillo. This is somewhat indicative of the isolated nature of this site and the treacherous consequences that occur to animals that attempt to move into or out of the RAA due to the high-volume traffic that occurs.

# Comments Regarding the Occurrence of Strategic Ecosystem Resources or Significant Ecological Communities within the Boundaries of the RAA

Division 3: Natural and Archeological Resources of the City of Gainesville Land Development Code requires evaluation of the upland resources of a Project Site to determine if these resources are specifically defined as Regulated Natural Resources. Section 30-8.11 through Section 30-8.16 define a series of assessment criteria and protection measures used to determine upland set-asides required on a development site and how these resources are to be protected. These resources specifically include Strategic Ecosystems, Significant Natural Communities, and Listed Species. Although the Code is significantly vigorous on defining requirements, it is embarrassingly deficient in providing definitions of the Regulated Resources. The Code was intended to replicate the County Code but deviations were introduced by staff and, at times, these deviations cause issues especially with respect to establishing processes for evaluation of set-asides as required by code.

The Project Site contains a Mesic Hammock plant community that is defined with an "S3" vulnerability rank which is defined by the City of Gainesville as a Significant Natural Community. In addition, the Project Site is located within the Hogtown Prairie Strategic Ecosystem overlay. The Project Site and the RAA additionally are inhabited by

a remnant population of Godfrey's swampprivet (Forestiera godfreyi L. C. Anderson). Given these factors, the potential requirements of a set-aside must be addressed. However, this RAA and specifically this Project Site DO NOT satisfy the basic requirements defined by Code to provide a set-aside worthy of protection. The site, although mapped within a Strategic Ecosystem, should no longer be included within the Hogtown Prairie Strategic Ecosystem. The RAA has been segregated from all remaining natural areas by previous development. The size of the RAA and Project Site set-aside would not support a viable population of listed species or large mammals that occur within the adjacent Hogtown Creek ecosystem. The Project Site and RAA are currently fragmented, provide NO connectivity, and are surrounded by intensively used roadways and residential development in all directions. The quality of habitat has been significantly degraded by historical dredge and fill activities as well as invasion and proliferation of exotic groundcover, shrub, and canopy species. In many areas of the site, the plant community is no longer represented by a natural Mesic Hammock community but has been replaced by "man-altered" or "disturbed" community types which no longer would be considered as "S3" by FNAI. The plant community over the entire extent of the RAA of over the extent of the proposed Project Site would not satisfy the criteria for defining Conservation Management Areas as defined in Section 30-8.14 (A) (1-9). In addition, if it is determined that a set-aside is required, would only involve a very fragmented smaller acreage of the habitat within the Project Site. In addition, the Project Site set-aside cannot be connected to any existing perpetual conservation area hence would be isolated. In this situation it is difficult to argue the efficacy of establishment of a set-aside (CMA) in this Project Site or RAA as it is inconsistent with the provisions in Section 30-8.14 (A) (1-8) for the following reasons:

- 1. The function of the historical habitat has been substantially adversely affected by previous development and will continue to be segregated and fragmented by future development specifically road expansion proposed by the City of Gainesville.
- 2. The quality of the habitat has been significantly altered by dredging, filling, canopy removal, trash and debris deposition, and invasion of exotic species. These disturbances will continue in the future due to the large "edge effect" that occurs adjacent to existing development and that will continue to expand in response to future development.
- 3. The site has minimal to non-existent probability that it can be protected from impacts related to adjacent development or that it can be maintained as a natural system resembling the historical condition.
- 4. The size and shape of the existing RAA and Project Site are unnatural and have a significant boundary with adjacent development. The site has been isolated by development and has no connection to adjacent natural surrounding resources and any proposed set-aside will be further isolated and fragmented compared to the

current condition which is contrary to any acceptable criteria that are commonly evaluated for creation of a CMA.

- 5. There is **NO** continuity with adjacent natural systems, wetland habitat, or any habitat corridor **AND NO** connection to an adjacent floodplain occurs.
- 6. The onsite adjacent habitat is too small and does not provide enough acreage or connection to adjacent habitats to provide long-term protection for the listed species Godfrey's swampprivet (*Forestiera godfreyi* L. C. Anderson). This species is dioecious and requires both a male and female plant to reproduce. There were no seedlings seen onsite and several of the previously documented individuals were dead at the time of the survey. This species could easily die-out in a fragmented site and there is no guarantee that a conservation protection strategy of such small areas could provide long-term protection of this species. This species is very susceptible to the situation that only male or female plants may be present at this time and the species is very difficult to protect during herbicide control programs. The most prudent conservation strategy is to move the remaining plants to a large established conservation area with other individuals of Godfrey's swampprivet (*Forestiera godfreyi* L. C. Anderson).
- 7. The plant and animal species located on this site and the listed species are completely separated from any adjacent land areas which provide habitat for neighboring populations of the same species.
- 8. Small conservation parcels located in a fragmented orientation within existing development provides **NO** long-term strategy for conservation and, if required, is inconsistent with the immediately adjacent land uses.

Given all of the above, it must be considered that following an evaluation of the entire RAA as was performed in this survey, and given the condition of the existing resources, the Project Site would be the area chosen for development due to the degradation of the habitat as compared to the remaining areas of the RAA. Providing a set-aside and CMA within the 7.12 acre area of the Project Site is simply **NOT** justified based on any provision defined within **Division 3** of the Land Development Regulations. However, given this rationale, the City staff and Project Site planners have provided a proposed set-aside for development of the Project Site as shown on Figure 3. This plan would at a minimum provide a set-aside area for adjacent development to the south to connect. However, regardless of how you configure the set-aside, it does **NOT** adhere to the provisions of **Section 30-8.14** and will remain forever <u>isolated</u>.

To further evaluate the efficacy of the potential set-aside for this Project Site, some review of the historical interpretation of ecological concepts that have been used in the County is necessary. However, first it should be stressed that the Project Site totals 7.12

acres and is a very disturbed part of an 18.09-acre Resource Assessment Area (RAA). The Project Site and RAA are isolated from any adjacent natural habitats by intense residential development and high-speed, high-volume local and regional access roads. The total acreage of the RAA will be substantially reduced in the future by construction of a connector road across Hogtown Creek to connect Butler Plaza to the Oaks Mall. The stormwater facilities for this connector road will be placed on the southern area of the designated RAA. The Project Site occurs within the mapped extent of the Hogtown Prairie Significant Ecosystem so the isolation of this habitat has specific relevance to the evaluation of Strategic Ecosystem Resources for this Project Site. With this general background in mind, the following discussion is offered.

The term Strategic Ecosystem was originally incorporated into the Comprehensive Plan and County Land Development Code circa 2005. In 2012, the City of Gainesville adopted the County Strategic Ecosystem Overlay maps and codified the concepts which the County had developed for protection of these habitats. It was the intent of the City to essentially adopt the same regulations used by the County to regulate these areas. The Project Site occurs within the Hogtown Prairie Strategic Ecosystem.

The City of Gainesville, within Section 30-2.1 Definitions, defines

Strategic Ecosystems means the 47 ecosystem areas identified within the City of Gainesville and Alachua County, Florida which were evaluated, described, and ranked in the KBN/Golder Report Alachua County Ecological Inventory Project (1996)." Strategic Ecosystems are generally larger Natural Resource Areas that are intact, capable of restoration, and that require conservation or management to maintain reserves of biodiversity at the landscape natural community and species-specific levels.

Within the City of Gainesville Comprehensive Plan or Land Development Regulations, there is no definition for "Strategic Ecosystem Resources."

First, it should be stated that the concept of "Strategic Ecosystem" is both confusing and is not well defined in the County Comprehensive Plan or City Land Development Regulations. The County defines Strategic Ecosystem in two ways. First, within the context of the Comprehensive Plan and Data Analysis report *Natural Resources Biodiversity*, Strategic Ecosystems are defined as

outstanding examples of ecosystems that are intact or capable of restoration and that require conservation or management to maintain important reserves of biodiversity at landscape, natural community, and species specific levels. Strategic ecosystems are generally greater than 20 acres in size and contain one or more of the natural ecological communities described above.

Second, Article 3, Defined Terms (Title 40, Chapter 410, Definitions [ULDC]) defines Strategic Ecosystems as "Sites that are identified in the KBN/Golder Associates report

Alachua County Ecological Inventory Project (1996)." Of critical concern in defining Strategic Ecosystems is the absence of a well-defined, specific methodology describing placement of Strategic Ecosystem boundaries or a description of precise quantitative or qualitative criteria to be used in defining boundaries.

The use of the term "Strategic Ecosystem" appears to be unique to Alachua County and the concept is not defined in this context in classical ecology literature. The name appears to be a derivation of the "Strategic Habitat Conservation Areas" described by the Florida Game and Fresh Water Fish Commission publication Closing the Gaps in Florida's Wildlife Habitat Conservation System. ERC could find no literature reference to the term "Strategic Ecosystem." In addition, the term "Strategic Ecosystem" is not defined or used in the KBN/Golder Associates (1996) report. In this report, they state

The purpose of this ecological inventory is to identify, inventory, map, describe, and evaluate the most significant natural biological communities, both upland and wetland, that remain in private ownership in Alachua County and make recommendations for protecting these natural resources.

The initial primary site selection criteria used by KBN/Golder Associates (1996) is stated, as follows:

Potential sites were defined as those areas that were uncleared and undeveloped.

Hence, the County designated the areas as "Strategic Ecosystems" after the KBN/Golder Associates (1996) Study was performed. This simply means that presently evaluation of Strategic Ecosystem boundaries as delineated by KBN/Golder Associates (1996) are performed with definitions that were not in place during the KBN/Golder Associates (1996) study when the original delineation of the Hogtown Prairie Strategic Ecosystem was performed. The KBN/Golder Associates (1996) study was performed several years prior to the county designating this area as Strategic Ecosystem. The methodology used by KBN/Golder Associates (1996) is somewhat questionable with regards to the type of communities that were intended to be designated within the Strategic Ecosystem overlay. For example, they state within the Executive Summary

The purpose of this ecological inventory is to identify, inventory, map, describe, and evaluate the most significant natural biological communities, both upland and wetland, that remain in private ownership in Alachua County and make recommendations for protecting these natural resources.

Within the Introduction to the report, they state

<sup>&</sup>lt;sup>1</sup> KBN, A Golder Associates Company. 1996. *Alachua County Ecological Inventory Project*. Prepared for Alachua County Department of Growth Management. Gainesville, FL. 216 pp.

The purpose of this project is to obtain information about all the significant areas of natural and semi-natural lands that remain in Alachua County, both upland and wetland, and to evaluate, rank, and make recommendations on conservation strategies.

The conflict with the statements regarding semi-natural and natural are interesting especially with regard to the County's Comprehensive Plan<sup>2</sup> as defined in **Objective 4.10**, **Strategic Ecosystems** and is included, in part, as follows:

## 4.10 STRATEGIC ECOSYSTEMS

Objective 4.10:

Protect, conserve, enhance, and manage the ecological integrity of strategic ecosystems in Alachua County.

- Policy 4.10.1 Conserve strategic ecosystems that are determined through ground-truthing using the KBN/Golder report as a guide to maintain or enhance biodiversity based on an overall assessment of the following characteristics:
  - 1. Natural ecological communities that exhibit:
    - a. Native biodiversity within or across natural ecological communities.
    - b. Ecological integrity.
    - c. Rarity.
    - d. Functional connectedness.
  - 2. Plant and animal species habitat that is:
    - a. Documented for listed species.
    - b. Documented for species with large home ranges.
    - c. Documented as a special wildlife migration or aggregation site for activities such as breeding, roosting, colonial nesting, or over-wintering.
    - d. High in vegetation quality and species diversity.
    - e. Low in non-native invasive species.
  - 3. Size, shape, and landscape features that allow the ecosystem to be restored to or maintained in good condition with regular management activities, such as prescribed burning, removal of exotic vegetation, or hydrological restoration.

The Alachua County 2001 digital orthophotographic series (for purposes of this policy, the date of this photography is March 1, 2001) shall presumptively

<sup>&</sup>lt;sup>2</sup> 2000-2020 Comprehensive Plan

establish the baseline condition of the strategic ecosystem property as of the effective date of this policy. The County shall adopt land development regulations that set forth additional guidance for the determination of whether and the extent to which strategic ecosystems exist on a property.

Within this objective, the County's regulations specifically describe conservation in terms of natural ecological communities, ecological integrity, and functional connectiveness. This objective also addresses possibly non-natural areas that have listed species and are high in vegetation quality and species diversity. The plant communities that occur within the RAA and specifically the Project Site do not possess the characteristics described above. Therefore, guidance contained in the Comprehensive Plan questions their inclusion into the current extent of the Hogtown Prairie Strategic Ecosystem overlay. The overlay has not been modified in 30 years to reflect the affect of development on the integrity of the overlay area.

As previously stated above, many of the onsite habitats within the RAA and Project Site are defined as non-natural or very disturbed habitat in the Comprehensive Plan Data Analysis. Within the Comprehensive Plan, natural ecological communities are defined, as follows:

Natural Ecological Communities: An assemblage of native plants and animals that is: (1) repeatable in general terms under similar physical conditions over the landscape, (2) capable of self-maintenance, (3) recognizable as being distinct from adjoining communities, and (4) has not been significantly altered by previous manmade activities. A community can usually be recognized by a few key species of plants. A natural ecological community is one that is important as a reserve of biological diversity.

With respect to this definition, the majority of the habitats in the RAA and the mapped area of the Strategic Ecosystem in which the RAA occurs are disturbed or even residential habitats. These areas are significantly altered by previous man-made activities and these communities are NOT "important as a reserve of biological diversity." To illustrate the longevity of the disturbance, an estimation of the plant communities that were present in 1937 that comprised the Sugarfoot Hammock area is shown on a 1937 aerial on **Figure 21**. At this time, the historical extent of the Sugarfoot Hammock area equaled  $\pm 324.04$  acres in the view shown. In 2017, this area had been reduced to  $\pm 51.1$  acres as shown on **Figure 22**. Currently, the Sugarfoot Hammock habitat is restricted to three (3) individual isolated habitats, all of which have been affected by development. The Project Site and RAA are completely separated from the other two (2) remaining habitat areas.

For completeness, native vegetation is described within Article 5, Chapter 410, Native Vegetation, as follows:

Native vegetation: Vegetation occurring naturally in the north central Florida region without the influence of humans. Native vegetation is a comprehensive term that encompasses all plant life, including groundcover, grasses, herbs, vines, shrubs and trees that, based on current knowledge, are known to have been present regionally before the time of documented European contact (~1500 A.D.).

Scoring of sites designated by KBN/Golder Associates (1996) was performed for several ecological factors of which one was **community quality**. This factor was evaluated as follows:

Community quality was determined to be excellent if:

- 1. It had all the functional components it would normally have in a natural situation (canopy habitat, cavities, structural diversity, microhabitat diversity, and healthy and diverse ground cover are examples) and appeared to have nearly the full set of species it would normally have;
- 2. It was not being seriously invaded by exotic species; and
- 3. It had not been seriously altered by human impacts other than those that have impacted the entire county.

Community quality was determined to be good if:

- 1. It is still functioning as it should, for the most part;
- 2. It had a good representation of the plant and animal species it would have under natural conditions;
- 3. It had the potential to return to excellent condition in a few decades given adaquate [sic] protection or if it was managed with commonly used management techniques such as prescribed burning, but without special and expensive restoration techniques such as the reintroduction of ground cover species.

Typical examples are second growth forests, old pine plantations on pine flatwoods sites with good ground cover and micro-site diversity, and little drainage of wetlands.

Community quality was determined to be *fair* if it had serious problems (i.e., heavily damaged ground cover, young pine plantation, bedded soil, or extensively drained wetlands) but could be returned to good condition in a few decades with a combination of commonly used management techniques and some restoration work.

Community quality was determined to be *poor* if it had been impacted by human activities to the point that it seemed unlikely that it could be returned to good condition without a fullscale restoration effort. An area that was sandhill or pine flatwoods, but that now has almost no native ground cover or native fauna would be an example.

Based on the obvious historical intensive land use apparent on the historical aerial photographs, the plant communities remaining within the remaining Sugarfoot Hammock area would be considered as **fair to poor quality** since these areas have been so significantly impacted by human activities that to facilitate return of these communities to a "natural" situation (canopy and groundcover) would require a long-term exotic control program.

To define Strategic Ecosystem Resources, an *a priori* designation of a 50% upland set-aside without consideration of the ecological factors occurring on the site is inconsistent with the rules defined in both the historical and current Land Development Codes and Comprehensive Plans of the City and County. The designation of "set-aside" should be done with consideration of the landscape setting, habitat quality, and a willingness to correct the KBN/Golder Associates (1996) study should be a consideration. Ground-truthing to verify Strategic Ecosystem boundaries is described in **Chapter 406**, **Natural and Historic Resources Protection**, **Article 5**, **Strategic Ecosystems** of the LDC, which further implements the policy of the Comprehensive Plan, outlines identification procedures for Strategic Ecosystems in **Section 406.33**, **Identification**, as follows:

#### 406.33 Identification

Strategic ecosystems are identified in the KBN/Golder Associates report, "Alachua County Ecological Inventory Project" (1996), and mapped generally by the KBN/Golder Ecological Inventory Map, which is an overlay to the Future Land Use Map, adopted and made a part of this Chapter by reference. The specific location and extent of strategic ecosystem resources shall be determined through ground-truthing using the KBN/Golder Associates report as a guide to determine the location and extent of the ecological community or communities described, generically, in the KBN/Golder report or of other natural resources generally consistent with the pertinent site summary in the KBN/Golder report. The ground-truthing process shall be implemented either as part of the development review process, or the Special Area Planning Process detailed in Article 16 of Chapter 402. Variability of community quality shall not be a basis for the delineation, but may be a basis for determining the most appropriate locations for development and conservation, respectively. Those areas found not to contain strategic ecosystem resources shall be eligible for consideration for development as part of a development plan or Special Area Plan provided the ecological integrity of the strategic ecosystem as a whole will be sufficiently protected.

Further, general delineation criteria are explained in **Chapter 402**, **Development Application Review Procedures**, **Article 16**, **Special Area Plans** (Section 402.101(b) Special Area Study: Ground-Truthing of Site), as follows:

402.101 Special Area Study

(b) Ground-Truthing of Site

Site-specific ground-truthing of natural resources shall be conducted to evaluate critical system functions and values in accordance with the requirements of the natural and historic resources assessment (see Chapter 406, §406.04). For Special Area Studies within strategic ecosystems, site-specific ground-truthing shall be conducted using the KBN/Golder report, background mapping and historical data, and other specific factors identified in Article 5 of Chapter 406, as a guide to develop a current scientific assessment of the systems involved. The location and extent of specific natural resources, as well as higher and lower valued portions of the strategic ecosystem(s), shall be delineated within the study area, and with respect to surrounding ecosystems. Those areas found not to contain strategic ecosystem resources shall be eligible for consideration for development as part of a development plan or Special Area Plan provided the ecological integrity of the strategic ecosystem as a whole will be sufficiently protected.

Ground verification of Strategic Ecosystem boundaries is further defined by Comp Plan **Policy 3.3.4**, which states

Policy 3.3.4 Site Specific Delineation: The parcel-specific boundaries of preservation and conservation areas shall be verified by ground surveys conducted in the course of special studies or development review. County-initiated mapping efforts shall be performed at the County's expense, except when an applicant seeks land use change, zoning change, or development approval prior to the completion of the County's mapping efforts, consistent with policies 3.4.2 and 4.10.3. Conservation policies shall be applied based on the resulting site specific delineation.

The City LDR's calls for ground verification of resources as described in **Section 30-8.12(C)(12)**, which states:

- (12) Strategic ecosystems. The specific location and extent of regulated strategic ecosystem resources shall be determined through ground-truthing using the KBN/Golder Associates report as a guide to determine the location and extent of the significant natural community or communities, or other natural resources, consistent with the pertinent site summary for the indicated areas as described in the KBN/Golder report. Those areas found not to contain regulated strategic ecosystem resources may be developed provided the ecological integrity of the strategic ecosystem as a whole will be sufficiently protected. The resources assessment shall include:
  - a. General analysis of adjacent properties sufficient to provide resource context;
  - b. Ownership and use information, including parcel numbers and acreage, for all land under common ownership or control within the strategic ecosystem or contiguous to the proposed development site;

- c. All proposed protection and management strategies for the regulated natural and archaeological resources on the planning parcel; and
- d. An evaluation of whether the development proposal is sufficiently protective of the ecological integrity of the strategic ecosystem, and a finding shall be made by the city manager or designee as to whether the development proposal should be revised to sufficiently protect the strategic ecosystem resource in accordance with the provisions of this section.

To briefly summarize the above information, a 50% set-aside cannot be required unless it is ground verified that Strategic Ecosystem Resources exist onsite and these resources represent high quality "outstanding examples" of the resource and that the resources are not isolated, fragmented, or damaged to such an extent that the resources cannot be managed as a functional component of adjacent resources and the onsite resources are actually connected to adjacent high quality habitats by some type of functional corridor.

# Analysis of Significant Natural Communities on the Project Site Evaluation of the RAA and Project Site with Respect to Division 3 of the Land Development Code

The main purpose of performing an ERA of the RAA is to determine the extent of Regulated Natural Resources and determine if these resources should be placed within a Conservation Management Area (CMA) or if the resources should be protected with Conservation Zoning or Future Land Use categories. The Mesic Hammock upland habitat located on site is defined as an Upland Hardwood Forest by FNAI and has a State ranking of S3.3 "Significant Natural Communities" are in part defined by Section 30-2.1, Definitions of the LDC as "those that are ranked S1, S2, and S3 by the FNAI." Based on this definition in the code, there is the potential that a portion of the onsite habitat would qualify to be set-aside; however, the onsite habitat needs to be evaluated in context to several variables prior to this determination being made, as follows:

In the historical context, the term "Significant Natural Community" as specifically defined in Section 30-8.12(C)(10) pertains primarily to upland habitats. Wetlands are regulated pursuant to Sections 30-8.19 through 30-8.21. The term "Significant Natural Upland Community" historically has been referred to as "Significant Uplands" by both the City of Gainesville and Alachua County Comprehensive Plans and Data Analysis. Section 30-8.12(C)(10) contains very little analytical criteria with which to determine if an area is "Significant." However, historical concept of the term "Significant Upland" defines some qualitative criteria for the context of this evaluation. For example, within the Data and Analysis section of the Conservation, Open Space, and Groundwater

<sup>&</sup>lt;sup>3</sup> The FNAI ranks communities from S1 to S5 in which S5 is common while S1 would be a very rare plant community.

Recharge Element (Petition 175-CPA-00PB, 31 Jan 2001) the City defines Significant Uplands, as follows:

Significant Uplands

Because they are so attractive for urban development, upland ecological communities are becoming threatened and endangered in the same way various species have become. As with threatened and endangered species, preservation of significant uplands is critical of the maintenance of biological diversity, particularly because many species are only able to survive in upland ecosystems. Particular consideration will be given to preserving uplands associated with wetlands and to uplands that have not been cultivated during the past 100 years. [emphasis added]

Similarly, Alachua County within the Data and Analysis for the 2001–2020 (Conservation and Open Space, Biodiversity) defines "Significant Habitats," in part, as follows:

### Significant habitat

Significant habitat is defined as contiguous stands of natural upland [emphasis added] plant communities which have been documented to support, and which have the potential to maintain, healthy and diverse populations of plants or wildlife.

Within these definitions is the consideration that "Significant Habitats" are long existing, non-disturbed, **natural** habitats that are **contiguous** with other significant resources and represent outstanding examples of habitat quality that has the potential to be maintained without disturbance in perpetuity.

Section 30-8.11(d)(1) (Gainesville LDC) provides criteria for lots  $\leq$ 5.0 acres in existence prior to 13 Nov 1991 as being exempt from the provision of Section 30-8.11, as follows:

(1) Certain small parcels of record. Any parcel of record as of November 13, 1991, that is less than or equal to five acres in size, and does not contain listed species, and does not include in whole or in part an archaeological site identified by a Florida Master Site file number. However, this exemption does not apply in the event the planning parcel equals or is greater than five acres in size.

Implicit in this language is the establishment of a minimum size standard in which the application of **Division 3**: Section 30-8.11-30.8.16 is not warranted or practical.

For evaluation of CMAs, Section 30-8.14(a), Identification of Conservation Management Areas states that (in part) "Conservation Management Areas shall be designed and maintained in areas with generally intact vegetation, including canopy, understory, and groundcover where applicable, in functional clustered arrangement, with logical contiguous boundaries to eliminate or minimize fragmentation to the greatest extent practicable."

If a CMA were established on the proposed project site, it would consist of  $\pm 0.5$  acres. The area is significantly isolated from any adjacent habitats by high volume roadways and has no definable connectively to any adjacent habitats. A CMA in this area would establish a successional, fair to low quality habitat "island" in which the encroaching pressures of development could not be avoided or controlled. The habitat would be so small as to not provide any haven for other than transient species and only very minimal population sizes of any species could be maintained. This would not be a conservation area that any conservation management entity would be willing to acquire or maintain. The onsite Mesic Hammock habitats do not satisfy the conditions that define a "Significant Natural Community." The habitat is too small, isolated, and not contiguous to any local habitat of significant value. The habitat is degraded by invasion of successional oak and other nuisance native species and significant populations of problematic exotic species are also present.

### **Final Statement**

A review of the existing conditions of the Circle K Power Stop Fueling Station Project Site and adjacent RAA is provided. The Project Site and RAA should **NOT** be defined within the Hogtown Prairie Strategic Ecosystem. There is **NO** current connection between the Project Site or RAA and any <u>natural</u> resources currently within the overlay area. The Project Site contains a Mesic Hammock community but much of the extent of this habitat is disturbed and invaded by exotics. To define this area as a Significant Natural Community in its current condition or probable future conditions cannot be done if fragmentation and connectivity factors to other systems are considered. A small population of Godfrey's swampprivet (*Forestiera godfreyi* L. C. Anderson) exists onsite; however, this species will not survive perpetually on this site of limited extent and resources. Removal of the plants to larger conservation areas is the best strategy

Table 1. Plant Species Recorded at the Circle K Power Stop Site, December 10 & 13, 2018

Name Classif. FACW FACW FACU FACW FACU FACW FACU FACU RACU FACU FACU FACU FACU FACU FACU FACU F		FDEP2 Classif. FACW FACW FACW FACW FACW FACW FACW FACW
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	ORT SCO Orthosia scoparia (NOST VIR Ostrya virginiana (MOXA DEB Oxalis debilis Kunth			MIR JAL Mirabilis jalapa L.  NAN DOM Nandina domestica Thunb.	_	MAG GRA Magnolia grandiflora	_ ]	-	_	_	LAN STR / antana strigge	_			OPA	HE I SUB Heterotheca subaxi	_	_	_	_							DIC CAR Dichondra caroliniansis Michy	Species Code	
Parthenocissus quinquefolia (L.) Planch. Paspalum notatum Flugge	<i>Orthosia scoparia</i> (Nutt.) Liede & Meve <i>Ostrya virginiana</i> (Mill.) K. Koch <i>Oxalis debilis</i> Kunth	Nyssa sylvatica Marshall Oplismenus setarius (Lam.) Roem. & Schult.	Nephrolepis cordifolia (L.) C. Presl	tica Thunb.	Matelea floridana or Gonolobus suberosus (sterile)	_our. <i>iflora</i> L.	raciflua L.	se Lour.	<i>um</i> W.T. Aiton	cum L.	iresine aiπusa нumb. & Bonpi. ex Willa. / antana strigocamara R. W. Sanders	pomoea cordatotrilobata Dennst.	<i>ıta</i> Forssk.	iton	opaca Aiton	Heterotheca subaxillaris (Lam.) Britt. & Rusby Ilex decidus Walter	Gelsemium sempervirens (L.) J. St. Hil.	Aiton	Forestiera godfreyi L.C. Anderson	Eustachys petraea (Sw.) Desv.	ricanus L.	<i>Ēriobotrya japonica</i> (Thunb.) Lindl.	tii S. Wats.	(L.) Gaertn.	Dolichandra unguis-cati (L.) L.G. Lohmann	fera L.	liniansis Michy	Scientific Name	
																							12		8			4	2
Virginia creeper Bahiagrass	Leafless swallowwort Eastern hophornbeam Pink woodsorrel	Blackgum Woodsgrass	Tuberous sword fern	Four-o'clock Heavenly hamboo	Florida spiny pod or Angular milkvine	Southern magnolia	Sweetgum	Chinese privet	Glossy privet	Poorman's pepper	Juba's bush Lantana	Tievine	Trailing indigo	Yaupon	American holly	Camphorweed	Yellow jessamine	Hairy bedstraw	Godfrey's swampprivet	Pinewoods fingergrass	American strawberrybush	Loquat	Elliott lovegrass	Goosegrass	Catclawvine	Air-potato		Common Name	
FACU+	FACU-	FAC FACU+	2	FACU	1	FAC+	FAC+	FAC	2	FACU	FAC:	]  -	Z	FAC	FAC-	FACU-	FAC	Z	Z	FACU-	FAC-	Z	FACW	FACU	Z	2	EVCW.	USFWS <sup>1</sup>	
	뒫뒫	UPL FAC	FAC		1 5		FACW	UPL	밀	면 :	<u> </u>	1	UPL	FAC	FAC		1	UPL	UPL	UPL	UPL	먇	FAC	UP.		5	CIGOSII.	FDEP <sup>2</sup>	
<u>-                                    </u>																											1	Floristic <sup>3</sup>	4

STA FLO Stach SYA ROM Syagi SYM DUM Symp	SPO IND Spore			•								SES HER Sesba	_				_		_	_	_	_	_	≤R	_	_	HEM	-	PUE MON Puerar	PRU SER Prunu	~	PLE POL Pleop	PET ALL Petive	Code	Species
Stachys floridana Shuttlew. ex Benth. Syagrus romanzoffiana (Cham.) Glassman Symphyotrichum dumosum (L.) G.L. Nesom Tillandsia hartramii Flliott	Sporobolus indicus (L.) R. Br.	Solidago canadensis L. var. scabra T. & G.	Solanum viarum Dunal	Solanum americanum L.	Smilax smallii Morong	Smilax glauca Walt.	Smilax bona-nox L.	Smallanthus uvedalia (L.) Mack. ex Small	Sida rhombifolia L.	Setaria parviflora (Poir.) Kerguelen	Sesbania vesicaria (Jacq.) Elliott	Sesbania herbacea (Mill.) McVaugh	Sapindus saponaria L.	Sageretia minutiflora (Michx.) C. Mohr	Sabal palmetto (Walter) Lodd. ex Schult. & Schult. f.	Rubus trivialis Michx.	Rubus pensilvanicus Poir.	Rivina humilis L.	Richardia brasiliensis (Moq.) Gomez	Rhynchelytrum repens (Willd.) C.E. Hubb.	Rhus copallina L.	Rhododendron sp. (cultivated)	Rhamnus caroliniana Walter	Quercus virginiana Mill.	Quercus shumardii Buckley	Quercus michauxii Nutt.	Quercus hemisphaerica Bartr.	Quercus austrina Small	Pueraria montana (Lour.) Merr. var. lobata (Willd.) Maesen & S.M. Almeida Kudzu	Prunus serotina var. serotina Ehrh.	Prunus caroliniana (Mill.) Aiton	Pleopeltis polypodioides (L.) E.G. Andrews & Windham	Petiveria alliacea L.	Scientific Name	
Florida betony Queen palm Rice button aster Bartram's airplant	Smutgrass	Canada goldenrod	Tropical soda apple	Common nightshade	Jackson vine	Wild sarsaparilla	Greenbrier	Hairy leafcup	Cuban jute	Knotroot foxtail	Bladderpod	Danglepod		Smallflower mock buckthorn	Cabbage palm	Southern dewberry	Sawtooth blackberry	Rougeplant	Brazil pusley	Rose natalgrass	Winged sumac	Azalea	Carolina buckthorn	Virginia live oak	Shumard's oak	Swamp chestnut oak	Laurel oak	Bastard white oak	Kudzu	Black cherry	Carolina laurelcherry	Resurrection fern	Guinea hen weed	Common Name	
N F N F AC	FACU+	FACU	2	FACU+	FACU	FAC	FAC	Z	FACU	FAC	FAC+	Z	FACU	Z	FAC	FAC	FACU+	Z	Z	Z	Z	l	FACU	FACU+	FACW-	FACW-	Z	Z	Z	FACU	Z	Z	Z	Classif.	USFWS1
UPL FAC UPL																																			
N N E N	E Z	5 <del>S</del>	EW	N N N	NC C	N C	N C	N C	×	¥ P	Z X	Z N	N C	NC C	NC	NC C	NP P	NC	EW	ΕA	NC C	l	NC	N C	N C	N C	N C	N C	ΕA	NC C	N C	N C	NC	Classif.	Floristic <sup>3</sup>

Species Code	Scientific Name	Common Name	USFWS <sup>1</sup>	FDEP <sup>2</sup>	Floristic <sup>3</sup>
TRA FLU	Tradescantia fluminensis Vell.	Small-leaf spiderwort	FAC+	FAC	EA
TRI DIC	Trichostema dichotomum L.	Forked bluecurls	Z	UPL	NO.
TRI DAC	Tripsacum dactyloides (L.) L.	Eastern gamagrass	FAC+	FAC	N i
<b>ULM ALA</b>	Ulmus alata Michx.	Winged elm	FACU+	FACW	NO.
URO MAX	Urochloa maxima (Jacq.) R.D. Webster	Guineagrass	FAC	UPL	E V
VER BRA	Verbena brasiliensis Vell.	Brazilian vervain	FAC-	UPL	ΕW
VER VIR	Verbesina virginica L.	White crownbeard	FACU	FAC	N C
VER GIG	Vernonia gigantea (Walter) Trel.	Giant ironweed	FAC+	FACW	N C
VIO SOR	Viola sororia Willd.	Common blue violet	FAC-	UPL	N C
VII AES	Vitis aestivalis Michx.	Summer grape	FAC-	l	N C
VII ROT	Vitis rotundifolia Michx.	Muscadine	FAC	l	¥
NIS SIN	Wisteria sinensis (Sims) Sweet	Chinese wisteria	Z	l	EW
ZIN ZER	Zingiber zerumbet (L.) Sm.	Bitter ginger	Z	UPL	EW

<sup>&</sup>lt;sup>1</sup>USFWS (United States Fish and Wildlife Service) Classifications: OBL = obligate wetland species; FACW = facultative wetland species; FAC = facultative species (neither wetland nor upland); UPL = upland species; NL = not listed in the federal list; NI = non-indicator species

<sup>2</sup>FDEP (Florida Department of Environmental Protection) Classifications: OBL = obligate wetland species; FACW = facultative wetland species; FAC = facultative species (neither

wetland nor upland); UPL = upland species; "---" = vine (non-indicator species)

Floristic Classifications (a measure of relative desirability): NC = Native Characteristic species (highly desirable); NP = Native Pioneer species (highly desirable); NW = Native Weedy species (slightly desirable); EW = Exotic Weedy species (undesirable); EA = Exotic Aggressive species (very undesirable)

Location map showing Project Site in relation to local and regional access roads. Figure 1.



Parcel location map showing the Project Site in relation to the adjacent parcels. Figure 2.



Figure 3. Circle K preliminary development plan.

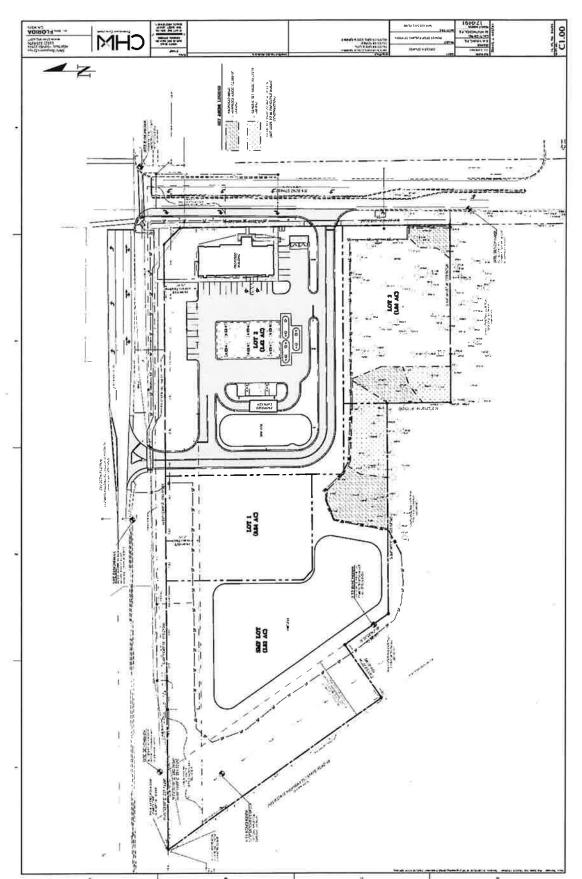
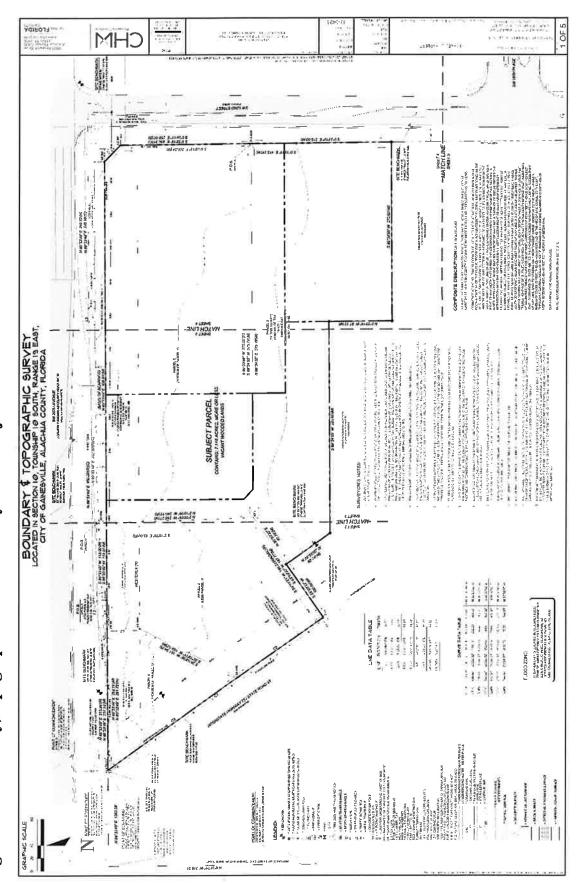
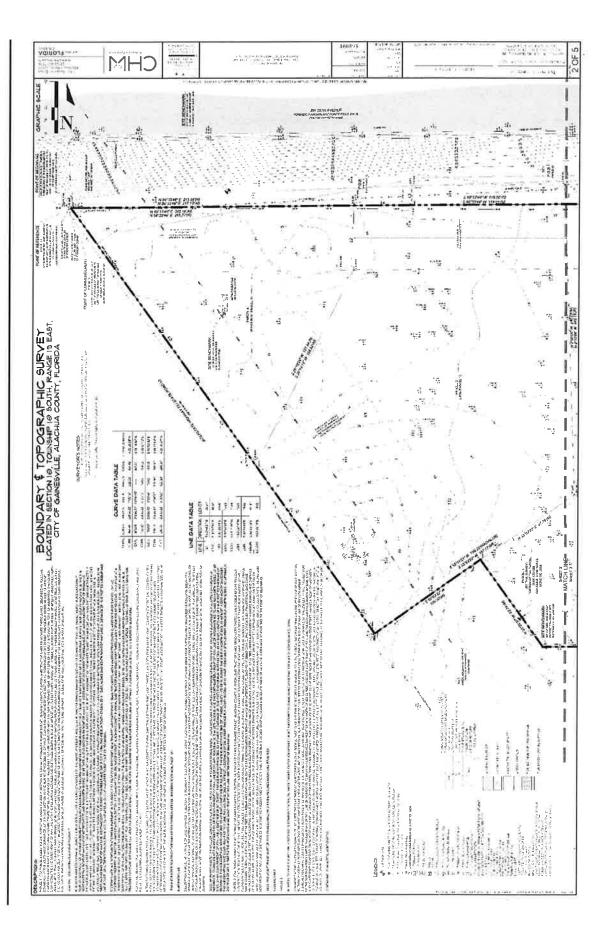


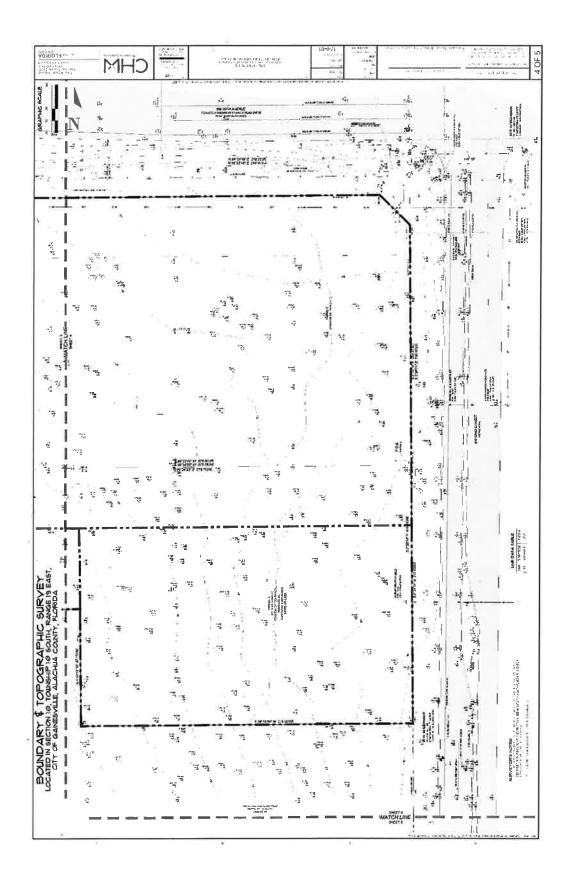
Figure 4. Boundary, topographic and tree survey of the Project Site.

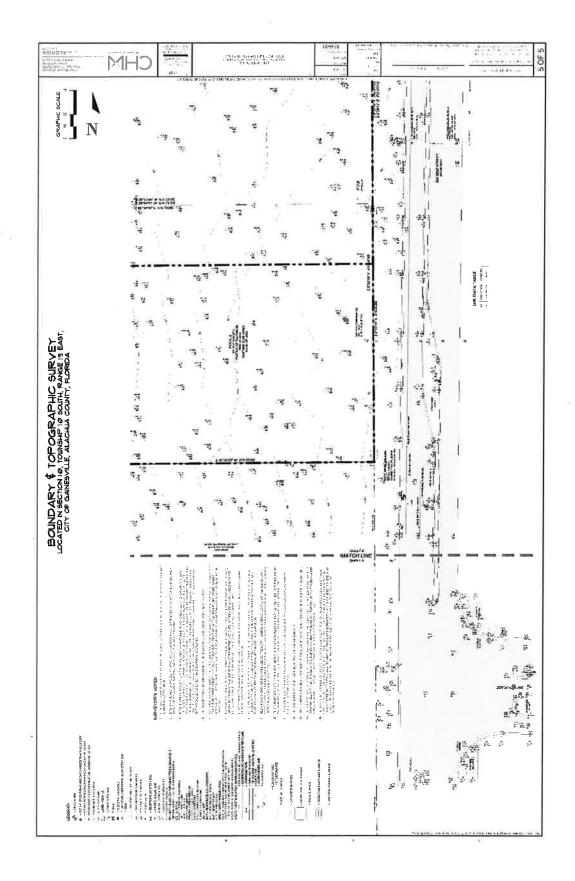




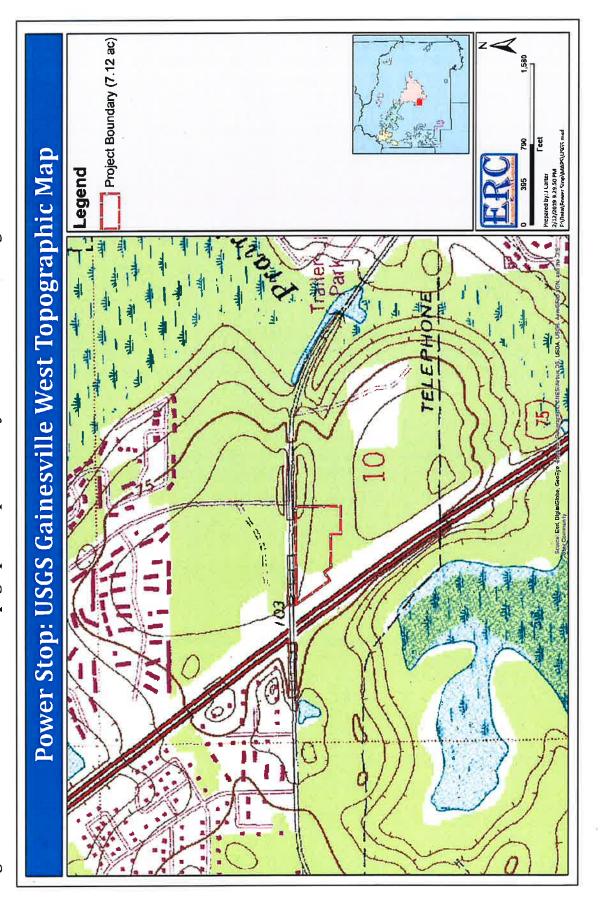
Environmental Resource Assessment Circle K Power Stop Fueling Station

3





USGS Gainesville West topographic map of the Project Site and surrounding area. Figure 5.



Topography map showing Alachua County 2001 topo contours overlain on a 2017 aerial photograph. Figure 6.

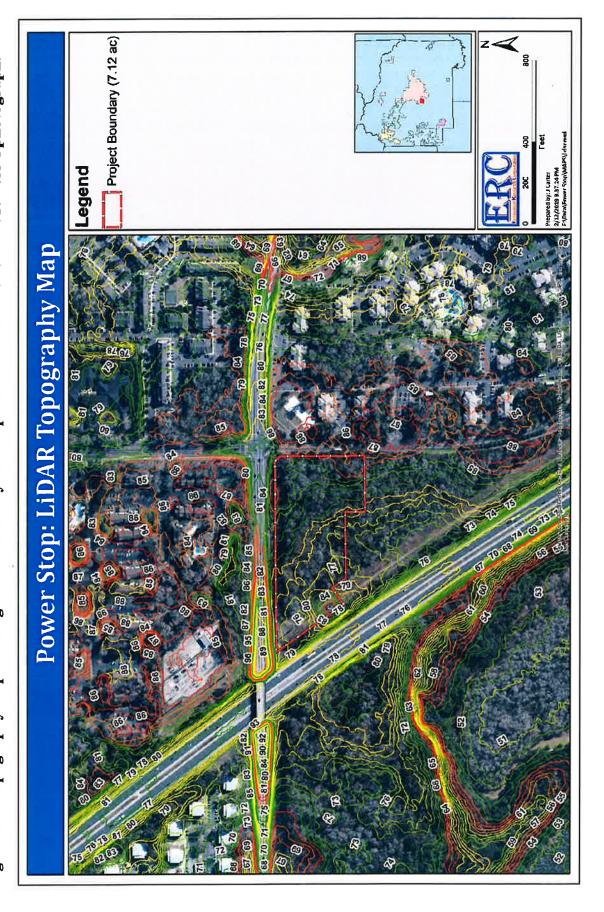
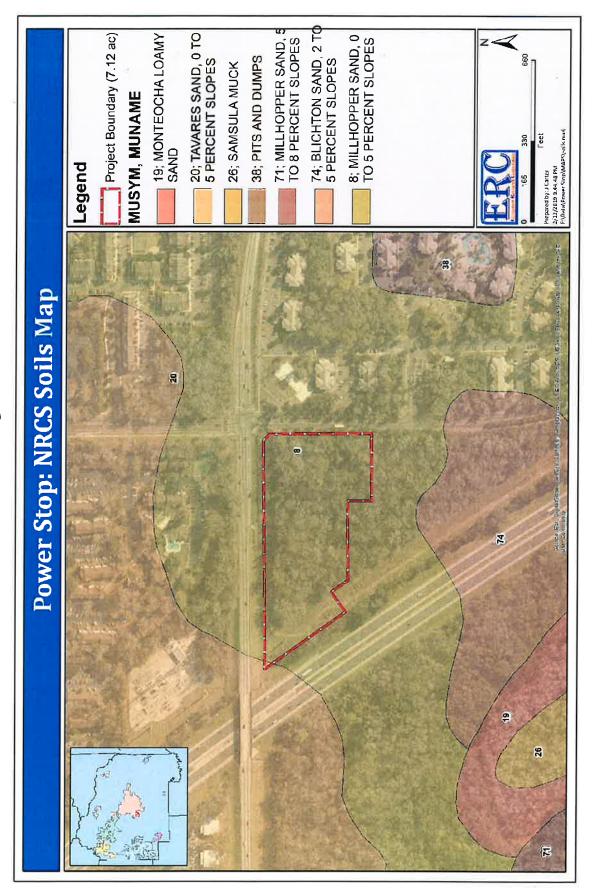


Figure 7. NRCS soils map of the Project Site and surrounding area.



FEMA flood zone map of the Project Site and surrounding area. Figure 8.



National Wetlands Inventory wetlands map of the Project Site and surrounding area. Figure 9.



Figure 10. Alachua County composite wetlands of the Project Site and surrounding area.

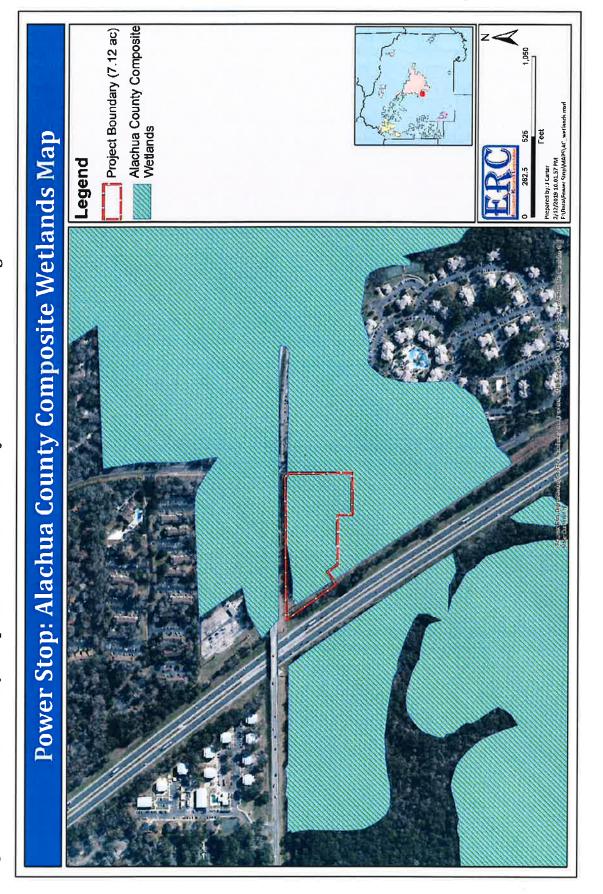


Figure 11. Alachua County Floridan Aquifer High Recharge Area.

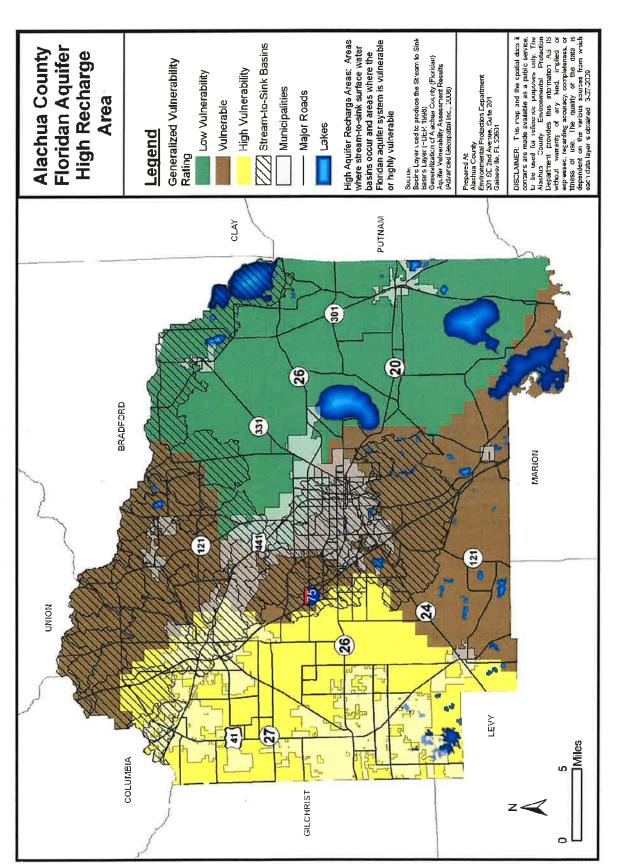


Figure 12. Alachua County hazardous materials storage facilities shown in relation to the Project Site.

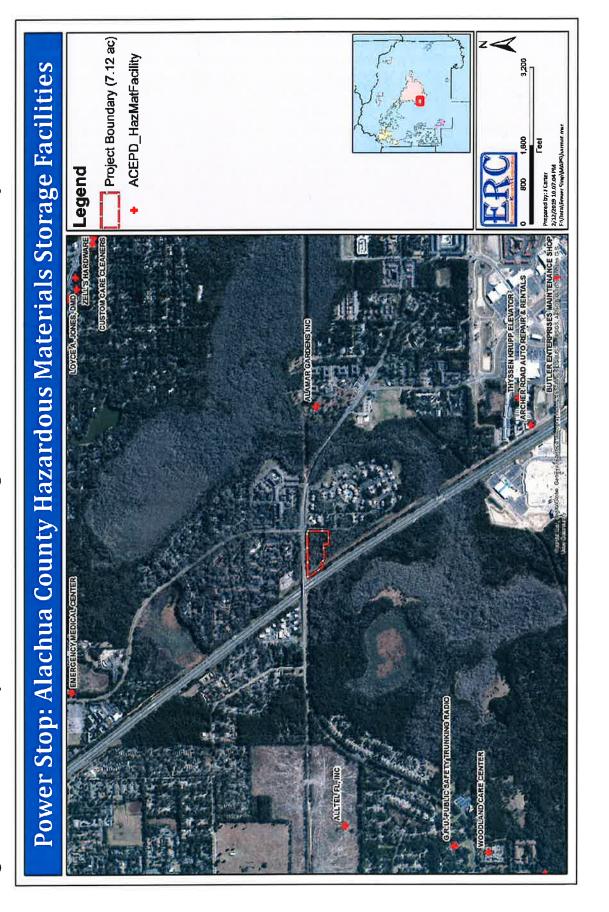


Figure 13. Historic structures shown in relationship to the Project Site.



Figure 14. Hogtown Prairie Strategic Ecosystem Overlay in area of Project Site.

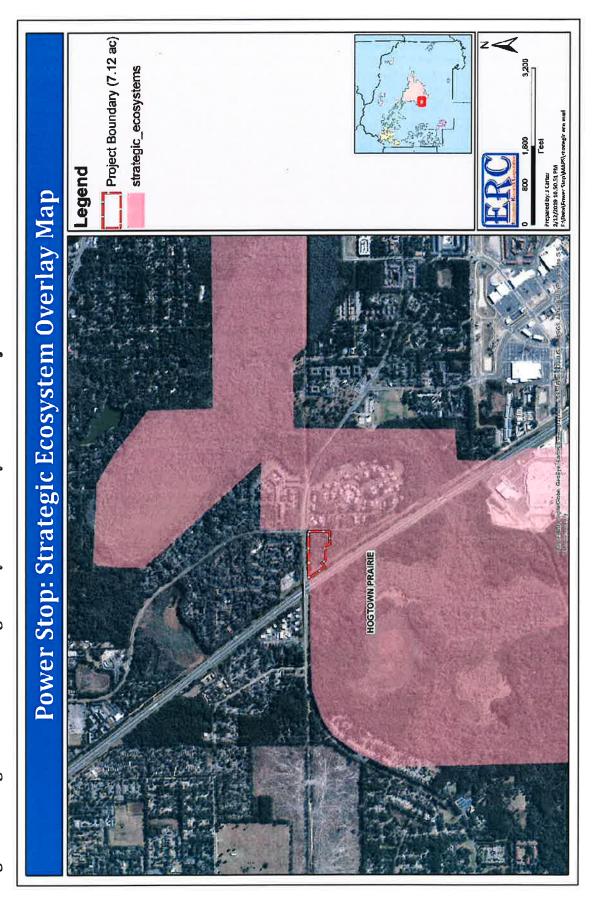


Figure 15. Listed species overlay map for the Project Site and surrounding area.

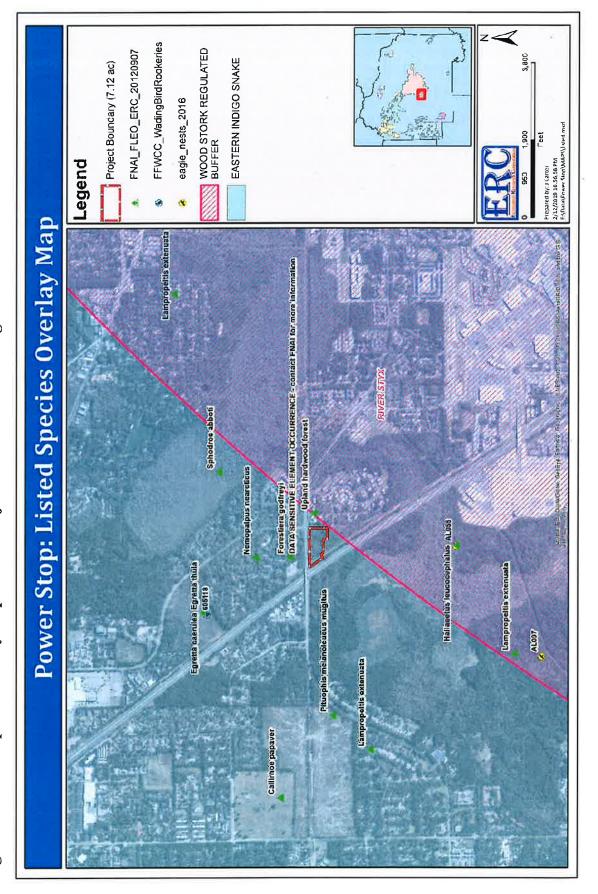


Figure 16. GPS locations where site-specific data were collected within the Project Site and adjacent areas.

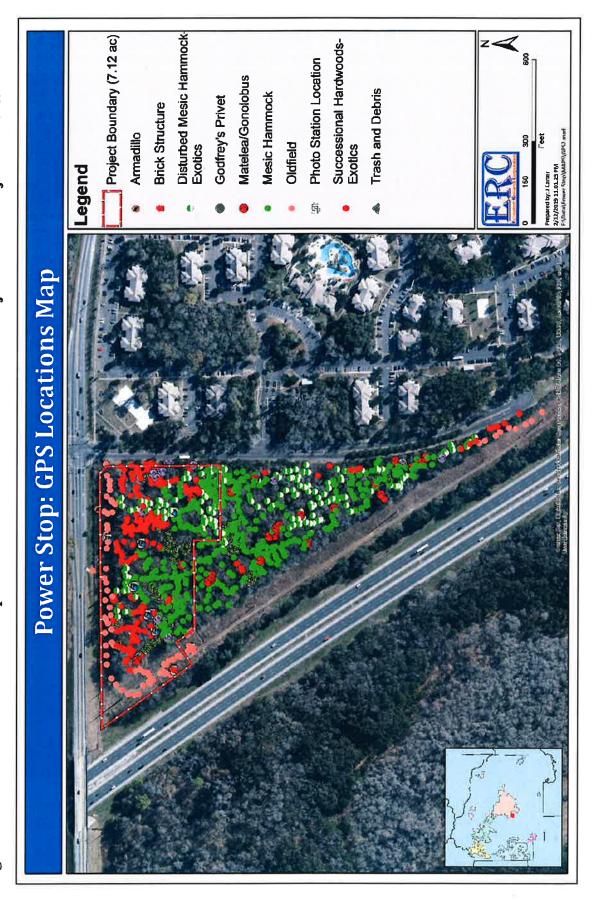


Figure 17. Results of site survey data locations as related to the Project Site and the proposed locations of the road extension storm basin within the RAA.

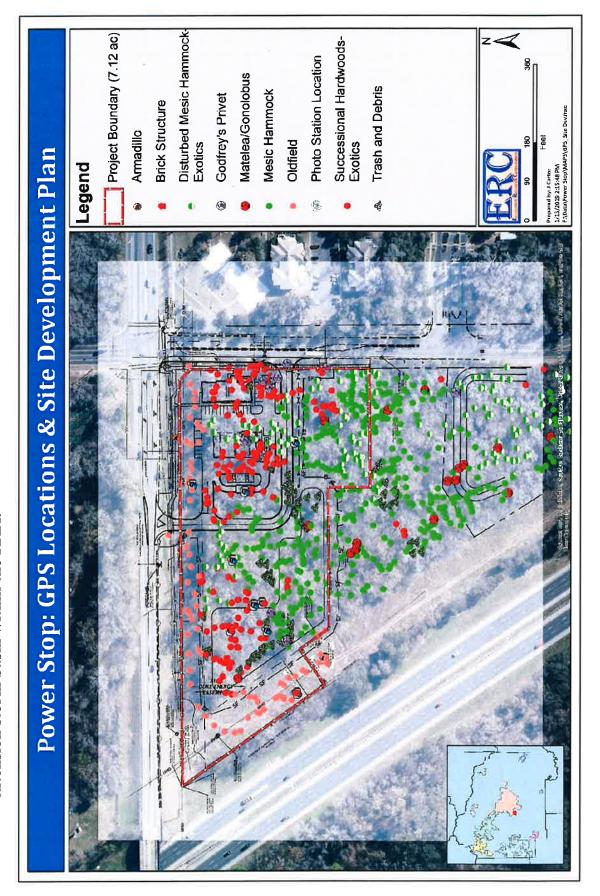


Figure 18. Plant communities map of the Project Site and RAA.

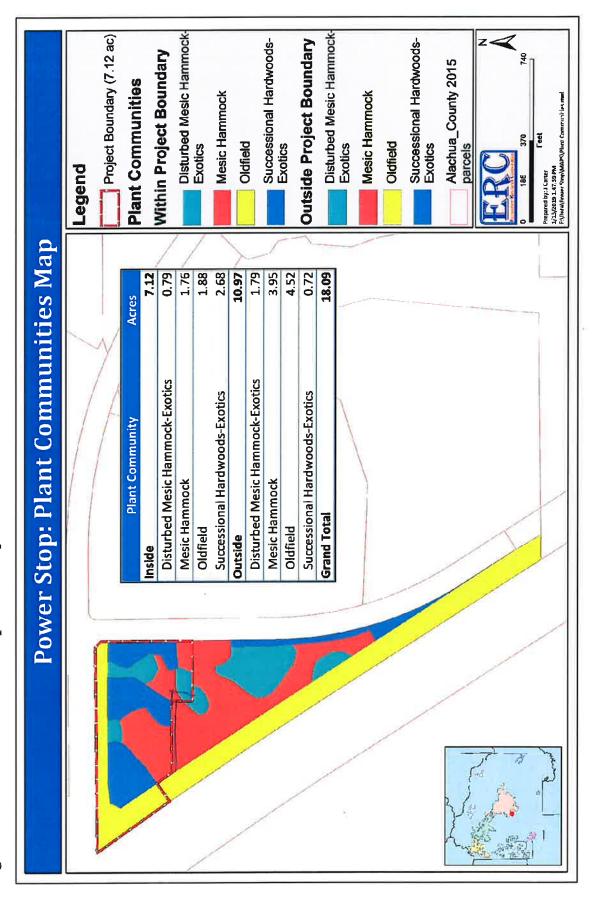


Figure 19. Areas of trash deposition with the RAA and Project Site.

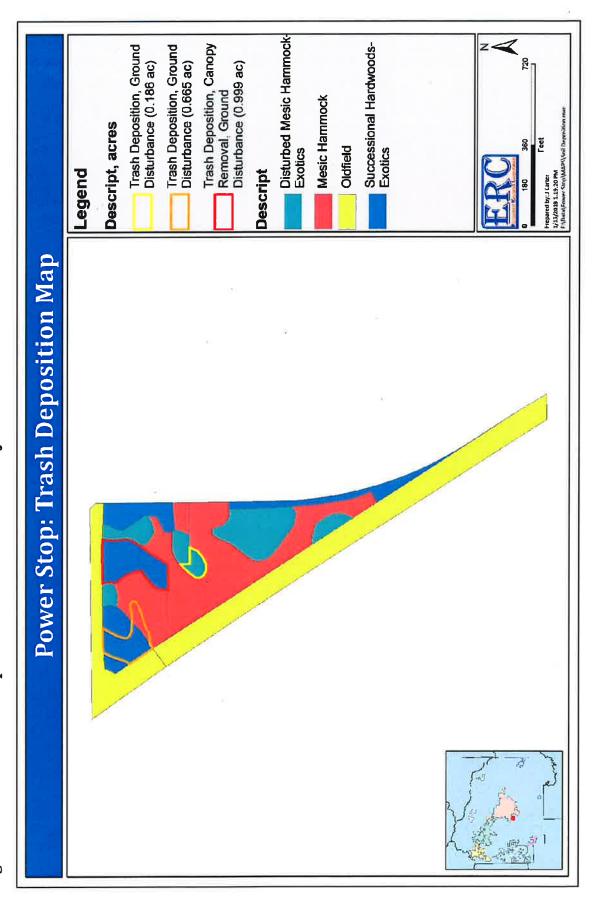


Figure 20. Locations of milkweed and Godfrey's privet within the RAA.



Figure 21. 1937 aerial photograph showing historical distribution of Sugarfoot Hammock.

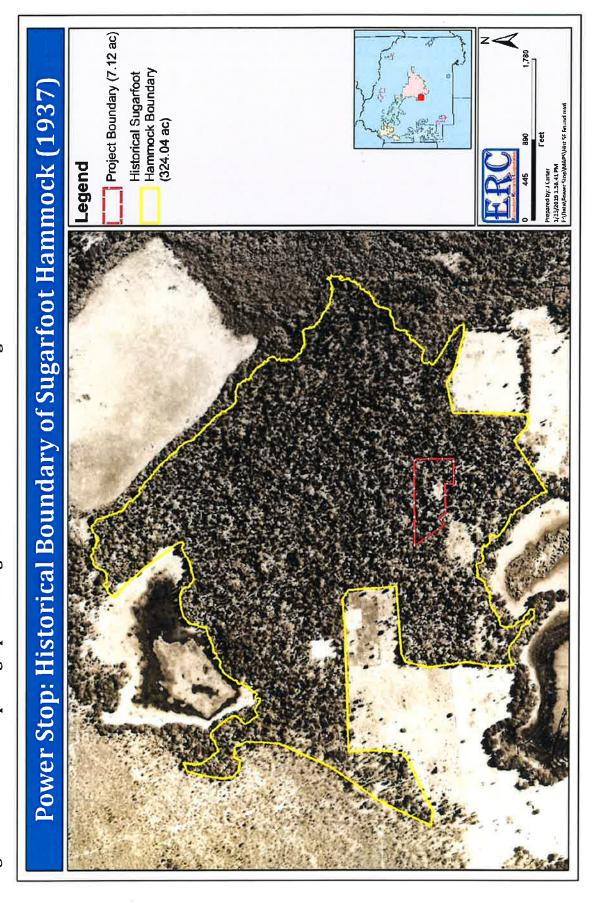
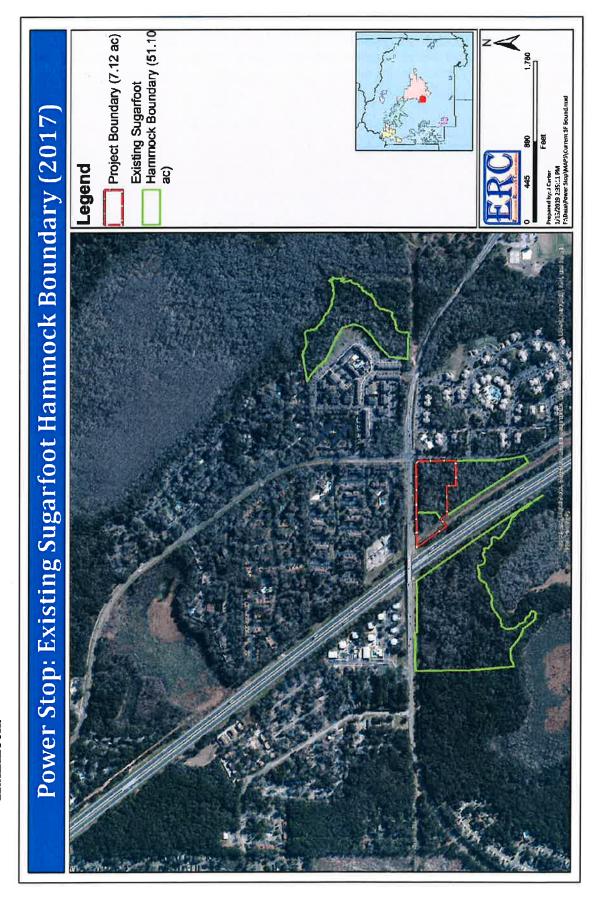


Figure 22. 2017 aerial photograph showing current distribution of fragmented habitat areas of Sugarfoot Hammock.



## **Attachment 1: Photographic Atlas**

Table A-1. Tabular listing for each photograph provided in the Photographic Atlas.

Photo Station	GPS Number	Photo Direction	Description
1	001	South	Oldfield
2	001	North	Oldfield
3	009	South	Brick structure
4	040	North	Trash pile within Mesic Hammock
5	051	West	Successional Hardwoods–Exotics
6	001	South	Oldfield
7	001	North	Oldfield
8	001	South	Oldfield
9	001	East	Oldfield
10	001	_	Oldfield
11	569	North	Mesic Hammock
12	194	North	Mesic Hammock
13	194	East	Mesic Hammock
14	194	South	Mesic Hammock
15	194	West	Mesic Hammock
16	194	Southeast	Mesic Hammock
17	568	East	Successional Hardwoods–Exotics
18	572	North	Disturbed Mesic Hammock–Exotics
19	582	Northeast	Successional Hardwoods-Exotics
20	582	South	Trash deposition
21	583	=	Disturbed Mesic Hammock–Exotics
22	221	_	Gonolobus suberosus/Matalea floridana (sterile)
23	RAA	_	Godfrey's swampprivet (Forestiera godfreyi)
24	RAA		Godfrey's swampprivet (Forestiera godfreyi)
25	RAA	North	Oldfield – Fill: south end of RAA
26	RAA	West	Gainesville stormbasin area
27	RAA	-	Soapberry (Sapindus saponaria)
28	RAA	.=	Gonolobus suberosus/Matalea floridana (sterile)

Figure A-1. Photo station location map.





12/10/2018 Photo 1 Frames 4873 GPS 001 (South).jpg



12/10/2018 Photo 2 Frames 4874 GPS 001 (North).jpg



12/10/2018 Photo 5 Frames 4877-4878 GPS 051 (West).jpg



12/13/2018 Photo 6 PC131128.JPG



12/13/2018 Photo 9 PC131132.JPG



12/13/2018 Photo 10 PC131135.JPG



12/13/2018 Photo 13 PC131140.JPG



12/13/2018 Photo 14 PC131141.3PG



12/13/2018 Photo 17 PC131144.JPG



12/13/2018 Photo 18 PC131150.JPG



12/13/2018 Photo 21 pano 160-161.jpg



12/13/2018 Photo 22 PC131162.JPG



12/13/2018 Photo 25 PC131167,JPG



12/13/2018 Photo 26 PC131168.JPG



12/13/2018 Photo 29 pano 172-173-1.jpg



12/13/2018 Photo 30 pano 181-182-1.jpg