



City of Gainesville Department of Sustainable Development Planning Division

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CITY PLAN BOARD STAFF REPORT

PUBLIC HEARING DATE: April 22, 2021

ITEM NO: 191038

PROJECT NAME AND NUMBER: Country Inn & Suites, PB-19-147 ZON

APPLICATION TYPE: Rezoning (Quasi-Judicial)

CITY PROJECT CONTACT: Bedez E. Massey, Planner

RECOMMENDATION: Approve



Figure 1. Location Map

APPLICATION INFORMATION:

Agent/Applicant: City of Gainesville, Florida

Property Owner(s): Jai Sachchidanand Hospitality

Related Petition(s): PB-19-144 LUC: City of Gainesville. Amend the City of Gainesville Future Land Use Map from Alachua County Tourist/Entertainment to City of Gainesville Commercial (C). Generally located south of parcel number 06800-006-001, west of Interstate 75, north of SW Archer Road, and east of SW 43rd Street.

Legislative History Ordinance No. 180311: An ordinance of the City of Gainesville, Florida, annexing approximately 1.79 acres of privately-owned property that is generally located south of parcel number 06800-006-001, west of Interstate 75, north of SW Archer Road, and east of SW 43rd Street, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City Commission Action on January 3, 2019 – Approved (Vote: Aye-7)

Neighborhood Workshop(s): N/A (See Exhibit B-1)

SITE INFORMATION:

Address: Generally located south of parcel number 06800-006-001, west of Interstate 75, north of SW Archer Road, and east of SW 43rd Street.

Parcel Number: 06800-006-000

Acreage: ±1.79

Existing Use: Hotel

Future Land Use Category: Alachua County Tourist/Entertainment

Zoning District: Alachua County Business, Tourist, and Entertainment (BR-1)

Overlay District: None

Transportation Mobility Program Area (TMPA): Zone M (to be assigned when designated a City future land use category)

Census Tract: 22.19

Water Management District: St. Johns River Water Management District

Special Feature: None

Annexed: January 3, 2019

Code Violations: There are no open cases.

PURPOSE AND DESCRIPTION:

The subject property (see Figure 1) was voluntarily annexed into the City of Gainesville on January 3, 2019 (see Exhibit C-2). According to State and local laws, the Alachua County land use, zoning and subdivision regulations will remain in effect on the subject property until the City's Comprehensive Plan is amended (Exhibit A-1 and C-3).

A City-initiated, small-scale amendment to the Future Land Use Map of the City's Comprehensive Plan that will change the future land use category on the subject property from Alachua County Tourist/Entertainment to City of Gainesville Commercial (C) is filed under Petition PB-19-144 LUC. This City-initiated petition is a concurrent request to rezone the subject property from Alachua County Business, Tourist and Entertainment (BR-1) to City of Gainesville General Business (BUS). Details of these zoning districts are provided with this report (see Table 1, Figures 2 and 3, and Exhibits B-2 and C-4).

The subject property contains a privately-owned, multi-story hotel with paved off-street parking and other amenities. It is located on SW 43rd Street, just north of SW Archer Road and west of Interstate 75 (I-75). SW 43rd Street is a paved, four-lane local street that contains sidewalks, lighting, and a curb and gutter drainage system on both sides.

Table 1. Proposed Zoning Change (in acres)

Zoning District	Description	Existing Acres	Proposed Acres
BR-1	Alachua County Business, Tourist, and Entertainment (BR-1)	±1.79	0
BUS	City of Gainesville General Business (BUS)	0	±1.79
Total Acres		±1.79	±1.79

Note: The data in Table 1 was obtained from the following sources: City of Gainesville, Department of Sustainable Development, Geographic Information System (GIS), April 2021; <<http://www.cityofgainesville.org/PlanningDepartment/MappingandGIS.aspx>>; Alachua County Property Appraiser's Office, April 2021; and City of Gainesville, Ordinance No.180311 (adoption date: January 3, 2019).

ADJACENT PROPERTY CHARACTERISTICS:

The subject property lies adjacent to a mixture of uses. A restaurant/retail store abuts on the north. SW Archer Road abuts on the south. Interstate 75 (I-75) abuts on the east. SW 43rd Street abuts on the west. A fuel station abuts on the west and south. A mixed-use development is located opposite the subject property on the west side of SW 43rd Street. (See Table 2 and Figures 1 through 3.)

The majority of adjacent properties contain commercial uses that are oriented towards serving the traveling/transient public. These types of commercial uses typically require close proximity to the regional transportation system for easy access and to attract customers.

In addition to roadways, the subject property is also adjacent to other public facilities and services that include utilities, solid waste collection, police and fire protection. SW 43rd Street and SW Archer Road have sidewalks.

SW Archer Road also contains bike lanes and bus routes (i.e., Route 75: Oaks Mall to Butler Plaza and Route 150: Haile Plantation to UF Campus).

There are no major environmental features identified on, or adjacent to, the subject property in the staff comments (see Exhibit C-5).

Table 2. Use of Adjacent Property by Future Land Use Category and Zoning District

	Existing Use(s)	Future Land Use Category	Zoning District
North	Cracker Barrel Old Country Store	Tourist/Entertainment (Alachua County)	Business, Tourist and Entertainment (BR-1) (Alachua County)
South	Circle K	Tourist/Entertainment (Alachua County)	Business, Tourist and Entertainment (BR-1) (Alachua County)
	SW Archer Road	N/A	N/A
East	I-75	N/A	N/A
West	SW 43 rd Street	N/A	N/A
	Circle K	Tourist/Entertainment (Alachua County)	Business, Tourist and Entertainment (BR-1) (Alachua County)

Note: The data in Table 2 was obtained from the following sources: City of Gainesville, Department of Sustainable Development, Planning Division, Field Survey, April 2021; City of Gainesville, Department of Sustainable Development, Geographic Information System (GIS), April 2021; <http://www.cityofgainesville.org/PlanningDepartment/MappingandGIS.aspx>; and Alachua County, Growth Management Department, Geographic Information System (GIS), April 2021, <https://growth-management.alachuacounty.us/gis>.



Figure 2. Existing Zoning District

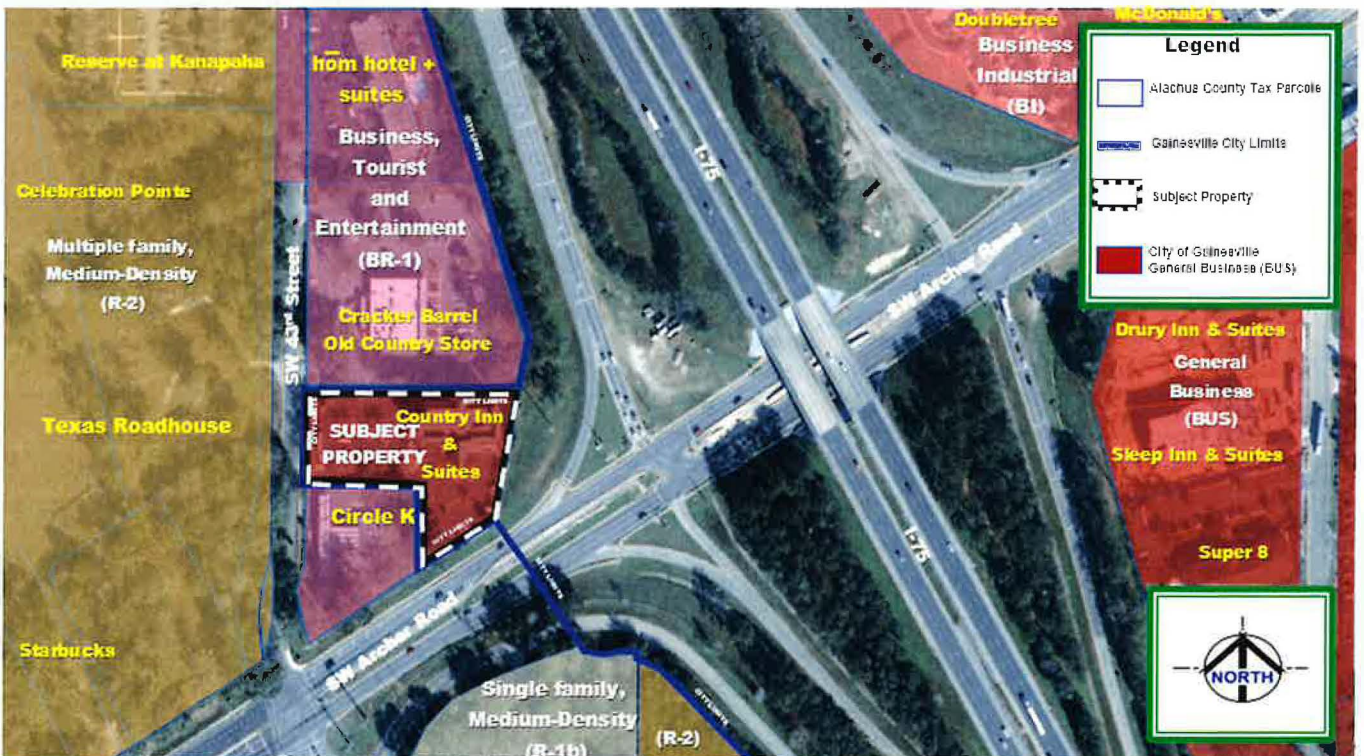


Figure 3. Proposed Zoning District

STAFF ANALYSIS AND RECOMMENDATION:**ANALYSIS**

The analysis of this rezoning application is based on the following criteria, as required in Section 30-3.14 of the City Land Development Code:

A. Compatibility of permitted uses and allowed intensity and density with surrounding existing development.

The proposed General Business (BUS) zoning district permits a variety of commercial, business, office, and institutional uses. Permitted residential use is limited to adult day care homes and dormitories, which require a Special Use Permit. Development intensity is regulated with a building setback of 10 to 100 feet on the front, and a minimum setback of 10 feet on remaining sides. A maximum building height of 8 stories is permitted, subject to receiving a bonus. (See Exhibit B-2.)

Most of the existing development surrounding the subject property is commercial. The surrounding commercial uses consist of hotels, gas stations, restaurants and retail establishments, which are permitted by right in the proposed General Business (BUS) zoning district. The building height in surrounding existing development does not exceed 6 stories, and the building setbacks are comparable to those required in the BUS zoning district.

The proposed General Business (BUS) zoning district promotes internal and external compatibility between uses through land development regulations that include, but are not limited to, use standards, setbacks, landscaping, environmental protection, access, stormwater management, and site illumination. Design features, such as buffers and screening, are required to protect residential uses. Permitted uses must also comply with the City's performance standards, which foster compatibility by requiring protection from fire and explosion hazards; radiation; electromagnetic radiation; waste disposal; vibration; sound; heat, cold, dampness or movement of air; odor; air quality; air pollution emissions; toxics; and utility service.

B. The character of the district and its suitability for particular uses.

The proposed General Business (BUS) zoning district is typically located on or near major roadways to facilitate accessibility and transportation efficiency. As a result of being able to operate in close proximity to each other, the wide range of permitted uses are able to benefit from sharing consumer markets and physical amenities, such as off-street parking and stormwater facilities. These characteristics of the BUS zoning district are important to the success of the hospitality, service and tourism industries, which are represented by the hotel on the subject property and the majority of surrounding existing development. These and other aspects of the BUS zoning district are described in *Article IV. Division 4. Mixed-Use and Nonresidential, Section 30-4.19* of the City Land Development Code (see Exhibit B-2).

C. The proposed zoning district of the property in relation to surrounding properties and other similar properties.

The majority of existing development surrounding the subject property is commercial. A hotel, fuel station, restaurant and retail establishments occupy adjacent properties. A mixed-use development is located on the west side of SW 43rd Street. Two major transportation corridors (i.e., Interstate 75 (I-75) and SW Archer Road) are also located nearby.

Given the above, placement of the proposed General Business (BUS) zoning district on the subject property will enhance the ability of permitted uses to share consumer markets and physical amenities, such as off-street parking and stormwater facilities. The proximity of the BUS zoning district to major corridors, sidewalks and bus routes will make permitted uses more accessible to customers and suppliers.

- D. Conservation of the value of buildings and encouraging the most appropriate use of land throughout the city.

The subject property contains an existing hotel, which is a permitted use in the proposed General Business (BUS) zoning district. The land development regulations of the BUS zoning district are designed to protect the value of the existing hotel, as well as other buildings on surrounding properties.

- E. The applicable portions of any current city plans and programs such as land use, traffic ways, recreation, schools, neighborhoods, stormwater management and housing.

The applicable portions of the City Land Development Code, City Comprehensive Plan and other relevant sources that have been considered in analyzing this rezoning application are noted in the staff report.

- F. The needs of the city for land areas for specific purposes to serve population and economic activities.

This rezoning application will increase land area within the City that is intended to meet the office, business, commercial and institutional needs of the general public. It will also allow existing development to benefit from proximity to permitted uses of the proposed General Business (BUS) zoning district, which can increase accessibility; reduce transportation costs; promote walkability; and create large consumer markets.

- G. Whether there have been substantial changes in the character or development of areas in or near an area under consideration for rezoning.

The subject property is located near Celebration Pointe, which is a ±125 acre mixed-use development within the County that includes offices, residential dwellings, retail establishments and a hotel. This large-scale development serves as further confirmation of the appropriateness of the permitted uses and level of intensity allowed in the proposed General Business (BUS) zoning district.

- H. The goals, objectives, and policies of the Comprehensive Plan.

This rezoning application is consistent with the Comprehensive Plan, as stated in the finding for the following goals, objectives and policies:

Future Land Use Element

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

Finding: This rezoning application supports a sustainable development pattern in the City by allowing a mixture of office, business, commercial and institutional uses on the subject property. Mixed-use properties are recognized for promoting accessibility, environmental conservation, economic growth, walkability, and transportation efficiency. The proximity of the subject property to existing public facilities and services, as well as the absence of major environmental features, also promotes a sustainable development pattern.

Objective 4.1 The City shall establish land use categories that allow sufficient acreage for residential, commercial, mixed-use, office, industrial, education, agricultural, recreation, conservation, public facility, and institutional uses at appropriate locations to meet the needs of the projected population and that allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and

environmental conditions of specific sites. Land use categories associated with transect zones are intended to encourage a more efficient and sustainable urban form by allowing a range of housing, employment, shopping and recreation choices and opportunities in a compact area of the City.

Finding: The proposed General Business (BUS) zoning district will implement the companion Commercial (C) land use category by allowing a mixture of office, business, commercial and institutional uses on the subject property. The BUS zoning district also includes no maximum lot coverage or gross leasable area requirements in order to allow design flexibility for creating leading-edge development.

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

Commercial (C)

The Commercial land use category identifies those areas most appropriate for large scale highway-oriented commercial uses. Land development regulations shall determine the appropriate scale of uses. This category is not appropriate for neighborhood centers. Intensity will be controlled by adopting height limits of 5 stories or less, requiring buildings to face the street, and modest build-to lines instead of a maximum floor area ratio; however, height may be increased to a maximum of 8 stories by Special Use Permit.

Objective 4.6 The City's Land Development Code shall provide a regulating mechanism to ensure consistency between the land use categories established in this Future Land Use Element and the zoning districts established in the Land Development Code.

Finding: The City's Land Development Code has established that the proposed General Business (BUS) zoning district is allowable within the Commercial (C) future land use category, which is proposed in the companion small-scale land use amendment application. The land development regulations of the BUS zoning district are written to ensure consistency with the Commercial (C) future land use category, as defined in Future Land Use Element, Policy 4.1.1.

Policy 3.6.1 The City's land development regulations shall require submission of soils and topographic information with any application for developments that require site plan approval or a septic tank permit. The review of development applications shall ensure that the proposed development adequately addresses the particular site conditions.

Finding: Development within the proposed General Business (BUS) zoning district is subject to land development regulations that require soils and topographic data, when necessary to adequately assess site conditions. The approval of development applications is subject to compliance with all applicable regulations.

Transportation Element

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

Finding: Under the proposed Commercial (C) future land use category, developments must comply with the transportation goals, objectives and policies of the City's Comprehensive Plan. As a result, the implementing land development regulations of the proposed General Business (BUS) zoning district can require that development plans include sidewalks, bike racks, driveway connections, bus shelters and other features that reduce vehicle miles traveled and support transit.

The subject property involved in this rezoning application is developed and does not include a development plan. However, the proximity of the subject property to Interstate (75) and SW Archer Road, which contains Regional Transit System (RTS) Routes 75: Oaks Mall to Butler Plaza and Route 150: Haile Plantation to UF Campus, is conducive to achieving Objective 3.1 of the Transportation Element.

Conservation Element

GOAL 2 MITIGATE THE EFFECTS OF GROWTH AND DEVELOPMENT ON ENVIRONMENTAL RESOURCES.

Policy 2.4.8 The City shall coordinate with Alachua County, the U.S. Fish & Wildlife Service, the Florida Fish & Wildlife Conservation Commission, and the Florida Natural Areas Inventory to conserve environmentally significant natural communities. Such coordination may include the submittal of relevant land development proposals to these entities for comment and recommendation.

Finding: Development within the proposed General Business (BUS) zoning district is subject to compliance with federal, state and local environmental regulations, as determined by the City's Environmental Coordinator and other applicable agencies. However, there are no major environmental features identified on, or adjacent to, the subject property in the staff comments.

I. The facts, testimony, and reports presented at public hearings.

No other facts, testimony or reports regarding this application, or the companion small-scale land use amendment application, have been presented at a public hearing. According to *Section 30-3.7. Neighborhood Workshop* of the City Land Development Code (see Exhibit B-1), City-initiated amendments to the zoning map that change the zoning from Alachua County to City of Gainesville districts, and City-initiated amendments to the Future Land Use Map of the City's Comprehensive Plan that change the future land use from Alachua County to City of Gainesville categories, are exempt from having to conduct neighborhood workshops.

J. Applications to rezone to a transect zone shall meet the following additional criteria:

Not Applicable.

RECOMMENDATION

Staff recommends approval of Petition PB-19-147 ZON based on a finding of compliance with all applicable review criteria. (See Exhibit C-5.)

DRAFT MOTION FOR CONSIDERATION

I move to recommend approval of Petition PB-19-147 ZON based on a finding of compliance with all applicable review criteria.

BACKGROUND:

The subject property was voluntarily annexed into the City of Gainesville by Ordinance No. 180311 (see Exhibit C-2), which was adopted January 3, 2019. Since this time, the Alachua County land use and zoning regulations have remained in effect on the subject property.

POST-APPROVAL REQUIREMENTS:

The City Planning Staff must forward the City Plan Board recommendation to a City Commission public hearing, where it will be considered for further action.

LIST OF APPENDICES:**Appendix A Comprehensive Plan Goals, Objectives and Policies**

Exhibit A-1: Future Land Use Element, Objective 4.4

Appendix B City Land Development Code

Exhibit B-1: Article III. Section 30-3.7. Neighborhood Workshop

Exhibit B-2: Article IV. Division 4. Mixed-Use and Nonresidential, Section 30-4.19

Appendix C Supplemental Documents

Exhibit C-1: Application

Exhibit C-2: City Ordinance No. 180311

Exhibit C-3: Subsection 171.062(2), Florida Statutes

Exhibit C-4: Alachua County Unified Land Development Code, Chapter 403, Article IV.
Commercial Districts

Exhibit C-5: Staff Review Status

Exhibit C-6: Country Inn & Suites Property Photos

Appendix A

City of Gainesville

Comprehensive Plan Goals, Objectives and Policies



the building plate. The tower features, stairs, elevators, and elevator machine room may exceed the maximum height.

- g. The maximum building height of the parking structure is limited to 110 feet measured from grade level to the top of the guard rail. The tower features, accessory recreational facilities, stairs, elevators, and elevator machine room may exceed the maximum height.
- h. The maximum number of stories for all buildings (except the parking structure) is limited to ten (10) stories above grade level.
- i. Vehicular access to the property shall be limited to ingress and egress from Northwest 14th Street, Northwest 3rd Avenue, and Northwest 13th Street (US 441). Pedestrian and bicycle access to the site shall be provided by sidewalks that surround the four sides of the property. There shall be a system of plazas, arcades and sidewalks that will provide access to all uses throughout the site.
- j. The owner/developer shall construct bus shelter(s) that are architecturally compatible with the development at the development site on either West University Avenue or Northwest 13th Street (US 441), or both, at a location(s) coordinated with the City Manager through the Gainesville Regional Transit System (RTS) and the Gainesville Public Works Department.
- k. This ordinance does not vest any development on the property described in Section 1 of this ordinance for concurrency as provided in the City's Comprehensive Plan. The owner/developer shall apply for and meet concurrency management standards at the time of application for development plan approval. An application for a Certificate of Final Concurrency must be submitted with the application for final development plan approval.

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

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

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

Objective 4.5 The City's land development regulations shall provide standards and guidelines that will regulate signage, subdivision of land, vehicle parking, and on-site traffic flow.

- 1 7. The board shall keep minutes of its proceedings, indicating the attendance of each member, and
2 the decision on every question.

3 **Section 30-3.7. Neighborhood Workshop.**

- 4 A. *Purpose and intent.* Neighborhood workshops are intended to encourage applicants to be good
5 neighbors and to allow for informed decision making, although not necessarily to produce complete
6 consensus on all applications, by:

- 7 1. Ensuring that applicants pursue early and effective citizen participation in conjunction with their
8 applications, giving the applicants the opportunity to understand and try to mitigate any real or
9 perceived impacts their applications may have on the community;
10 2. Ensuring that citizens and property owners have an adequate opportunity to learn about
11 applications that may affect them and to work with the applicant to resolve concerns at an early
12 stage of the process; and
13 3. Facilitating ongoing communication among the applicant, interested citizens and property
14 owners, and city staff throughout the application review process.

- 15 B. *Applicability.* Every application that requires board approval, including future land use map changes,
16 rezonings, Special Use Permits, subdivisions, or development plans shall first hold a neighborhood
17 workshop and shall include in the application a written record of such meeting. Development plans
18 located within a transect zone that meet or exceed the thresholds for intermediate or major
19 development review shall also conduct a neighborhood workshop. The following development
20 applications are exempt from the requirements of this section:

- 21 1. Text changes to the Comprehensive Plan or Land Development Code.
22 2. City-initiated amendments to the future land use map of the Comprehensive Plan that change
23 the future land use from Alachua County to City of Gainesville categories.
24 3. City-initiated amendments to the zoning map that change the zoning from Alachua County to
25 City of Gainesville districts.
26 4. Development plan applications for nonresidential projects of 10,000 square feet or less of floor
27 area when not abutting or adjacent to property zoned for single-family residential use.
28 5. Development plan applications for residential projects of 10 units or less.
29 6. Environmental remediation or safety improvements required by local, state, and federal
30 agencies.

- 31 C. *Workshop requirements.*

- 32 1. The applicant shall provide the opportunity for a workshop to inform neighboring property
33 owners of the proposed application. The workshop shall be held in a location generally near the
34 subject property and shall be held in a facility that is ADA compliant. The applicant shall provide
35 notification by mail to all owners of property located within 400 feet of the subject property and
36 to all neighborhood associations registered with the city and located within ½-mile of the
37 property. The City Manager or designee shall provide mailing labels to the applicant. The
38 applicant shall mail these notices with proper postage at least 15 calendar days before the
39 workshop. The applicant shall also advertise the workshop in a newspaper of general circulation
40 at least 15 calendar days before the date of the workshop.



2. The workshop shall start between 6:00 p.m. and 8:00 p.m. on a weekday or between 9:00 a.m. and 5:00 p.m. on a weekend. All required workshops shall be held prior to submittal of the application. The applicant shall be required to schedule an additional workshop if the initial workshop has occurred more than 6 months prior to submittal of the application.

Section 30-3.8. Public Notice.

- A. *General.* The notice provisions in this section shall be required prior to all board hearings and are supplemental to any notice required by state law. If two public hearings are required, then supplemental notice shall be provided prior to the first public hearing. A request by the applicant to continue a board hearing shall require the applicant to incur re-notification and re-advertising costs.
- B. *Mailed notice.* Unless otherwise provided by law, addresses for mailed notice required by this chapter shall be obtained from the latest ad valorem tax records provided by the county property appraiser. The failure of any person to receive notice shall not invalidate an action if a good faith attempt was made to comply with the notice requirements. The notice shall identify the physical address of the subject property; the date, time, and location of the public hearing; and a description of the application including the nature and degree of the request, potential uses, and other information as required by the city. The notice shall be mailed at least 15 calendar days prior to the date of the board hearing to all real property owners whose land will be affected and whose property lies within 400 feet of any affected property.
- C. *Posted notice.* Posted notice signs shall be posted by the applicant in accordance with procedures established by the city, and shall include a description of the application with the nature and degree of the request, potential uses, and other information as required by the city, and shall identify the date, time, and location of the public hearing. Signs shall be posted at least 15 calendar days prior to the date of the board hearing. Properties under consideration for a land use or zoning map change that involve more than 50 non-contiguous acres shall not be required to post signs when the application is initiated by the city.
- D. *Failure to perfect supplemental notice.* If an applicant fails to provide supplemental notice in accordance with this section prior to the public hearing, then the public hearing shall be cancelled to allow compliance with the notice requirements. The failure to provide the supplemental notice required by this section shall not be construed to invalidate any final action on a land development decision, if discovered after final action has been taken.

Table III - 1: Public Notice.

APPLICATION TYPE	NEWSPAPER AD	MAILED NOTICE	POSTED NOTICE
COMPREHENSIVE PLAN AMENDMENTS/LAND USE CHANGES			
Text changes not including amendments to the list of permitted/prohibited uses.	As required by law.	Not required.	Not required.
Text changes amending the list of permitted/prohibited uses involving less than 5% of the total land	As required by law.	Required.	Not required.

DIVISION 4. MIXED-USE AND NONRESIDENTIAL

Sec. 30-4.19. Permitted uses.

The following table contains the list of uses allowed, and specifies whether the uses are allowed by right (P), accessory to a principal use (A), or by special use permit approval (S). Blank cells indicate that the use is not allowed. No variances from the requirements of this section are allowed.

Table V-7: Permitted Uses in Mixed-Use and Nonresidential Districts.

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
RESIDENTIAL													
Single-family dwelling		P	-	P	P	-	-	-	-	-	P	-	-
Attached dwelling		P	P	P	P	-	-	-	-	-	-	-	-
Multi-family dwelling		P	P	P	P	S	-	-	-	-	P	-	-
Accessory dwelling unit	30-5.35	A	A	A	A	A	A	-	-	A	A	-	-
Adult day care home	30-5.2	P	P	P	P	P	P	-	-	P	-	-	-
Community residential home (up to 6 residents)	30-5.6	P	P	P	P	-	-	-	-	-	P	-	-
Community residential home (more than 14 residents)	30-5.6	-	P	P	P	-	-	-	-	-	P	-	-
Community residential home (7 to 14 residents)	30-5.6	P	P	P	P	-	-	-	-	-	P	-	-
Family child care home	30-5.10	P	-	P	P	-	-	-	-	-	P	-	-
Single room occupancy residence	30-5.8	P	P	P	P	-	-	-	-	-	P	-	-
NONRESIDENTIAL													
Alcoholic beverage establishment	30-5.3	S	S	-	-	-	P	-	P	P	-	P	P
Assisted living facility		P	P	-	P	-	-	-	-	-	P	-	-
Armor systems manufacturing and assembly	30-5.16	P	-	-	-	-	-	-	-	-	-	-	-
Bed and breakfast establishment	30-5.4	P	P	S	S	-	P	-	P	-	-	-	-
Business services		P	P	-	P	P	P	P	P	P	P	P	P

Carwash	30-5.5	S	S	-	-	-	P	P	S	P	P	P	P
Civic, social, or fraternal organization		P	P	-	-	-	P	P	P	P	-	-	-
Day care center	30-5.7	P	P	P	P	P	P	-	-	P	P	-	-
Drive-through facility	30-5.9	P	P	-	-	-	P	P	P	P	P	P	P
Emergency shelter		P	P	P	P	P	P	P	P	P	P	P	P
Equipment sales, rental and leasing, heavy		-	-	-	-	-	-	-	-	-	-	P	P
Equipment rental and leasing, light		-	P	P	P	-	P	P	-	P	P	P	P
Food distribution center for the needy	30-5.12	-	-	-	-	-	S	-	S	S	-	-	-
Food truck, not located within a food truck park	30-5.37	P	P	A	A	P	P	P	P	P	P	P	P
Food truck park (less than 6 pads)	30-5.13	P	P	-	P	P	P	P	P	P	P	P	P
Food truck park (6 or more pads) ⁴	30-5.13	S	S	-	S	S	S	S	S	S	S	S	S
Gasoline or alternative fuel station	30-5.14	S	S	-	-	-	P	P	P	S	P	S	S
Go-cart raceway and rentals (indoor and outdoor)		-	-	-	-	-	-	-	-	-	-	S	S
Health services		P	P	P	P	P	-	-	-	-	P	-	-
Hotel or motel		S	S	-	-	S	P	-	P	P	S	-	-
Ice manufacturing/vending machines	30-5.40	-	-	-	-	-	S	S	S	A	A	A	A
Industrial	30-5.15	-	-	-	-	-	-	-	-	-	-	P	P
Job training and vocational rehabilitation services		-	P	-	-	-	P	-	-	P	P	P	-
Junkyard or salvage yard	30-5.16	-	-	-	-	-	-	-	-	-	-	S	P
Laboratory, medical or dental		P	P	P	P	P	P	-	-	P	P	P	P
Large-scale retail		-	P	-	-	-	P	P	P	P	-	-	-
Library		-	P	-	-	P	-	-	-	-	P	-	-
Light assembly, fabrication and processing	30-5.17	P	P	-	S	S	S	P	-	P	P	P	P
Liquor stores		P	P	-	-	-	P	P	P	-	P	-	-

Medical marijuana dispensing facility		P	P	A ¹	A ¹	S	P	P	P	P	P	S	S
Microbrewery, microwinery, or microdistillery ³	30-5.18	S	P	-	-	-	P	-	P	P	P	P	P
Mini-warehouse or self-storage facility	30-5.19	-	-	-	-	-	-	-	-	P	P	P	P
Museum or art gallery		P	P	P	P	P	P	-	P	P	P	-	-
Office		P	P	P	P	P	P	P	P	P	P	P	P
Office (medical, dental, or other health-related service)		P	P	P	P	P	P	-	P	-	P	-	-
Outdoor storage (principal use)	30-5.20	-	-	-	-	-	-	-	-	S	P	P	P
Parking, surface (principal use)	30-5.21	-	S	-	-	-	S	P	-	P	P	-	-
Passenger transit or rail station		S	S	-	-	P	P	P	P	P	P	P	-
Personal services		P	P	P	P	P	P	P	P	P	P	P	P
Place of religious assembly	30-5.22	P	P	P	P	P	P	P	P	P	P	-	-
Public administration building		P	P	P	P	P	P	P	P	P	P	P	-
Public maintenance or storage facility		-	-	-	-	-	-	-	-	P	P	P	P
Public park		S	S	S	S	P	P	P	P	P	P	P	P
Recreation, indoor		P	P	P	P	P	P	P	P	P	P	P	P
Recreation, outdoor		-	-	-	-	-	S	P	P	S	-	P	P
Recreational vehicle park	30-5.23	-	-	-	-	-	-	P	P	P	-	P	-
Recycling center		-	S	-	-	-	S	-	-	-	S	S	P
Rehabilitation center		S	S	S	S	-	S	-	-	S	-	S	
Research development or testing facility		-	-	-	-	P	P	-	-	P	P	P	P
Residence for destitute people	30-5.24	S	S	S	S	-	S	-	S	-	-	-	-
Restaurant		P	P	-	S	P	P	P	P	P	P	P	P
Retail nursery, lawn, or garden supply store		P	P	-	-	-	P	P	-	P	P	P	-
Retail sales (not elsewhere classified)		P	P	-	-	S	P	P	P	P	P	S	S
School (elementary, middle, or high - public or private)		P	P	S	S	-	P	-	-	-	P	-	-

School, professional		P	P	P	P	P	P	P	-	P	P	P	P
School, vocational or trade		-	P	P	P	-	P	P	-	P	P	P	P
Scooter or electric golf cart sales		P	P	-	-	-	P	P	-	P	-	P	-
Sexually-oriented cabaret	30-5.25	-	-	-	-	-	-	-	P	-	-	-	P
Sexually-oriented motion picture theater	30-5.25	-	-	-	-	-	-	-	P	-	-	-	P
Sexually-oriented retail store	30-5.25	-	-	-	-	-	P	-	P	-	-	-	P
Simulated gambling establishment		-	-	-	-	-	-	-	-	-	-	-	-
Skilled nursing facility		P	P	-	P	P	P	-	-	-	P	-	-
Social service facility	30-5.27	S	S	S	S	-	-	-	-	-	P	S	S
Solar generation station	30-5.29	-	-	-	-	-	-	-	-	P	-	P	P
Truck or bus terminal or maintenance facility		-	-	-	-	-	-	P	P	P	P	P	P
Vehicle repair	30-5.30	-	-	-	-	-	-	P	P	P	-	P	P
Vehicle rental		-	-	-	-	-	P	P	P	P	P	P	-
Vehicle sales (no outdoor display)		-	-	-	-	-	P	P	P	P	-	P	-
Vehicle sales (with outdoor display)		-	-	-	-	-	-	P	-	P	-	P	P
Vehicle services	30-5.30	S	S	-	-	-	P	P	P	P	S	P	P
Veterinary services	30-5.31	P	P	P	P	P	P	P	P	P	P	P	P
Warehouse or distribution facility (less than 100,000 sf)		-	-	-	-	-	-	-	-	P	P	P	P
Warehouse or distribution facility (100,000 sf or greater)		-	-	-	-	-	-	-	-	P	P	P	P
Waste management facility		-	-	-	-	-	-	-	-	S	-	P	P
Wholesale trade		-	-	-	-	-	-	S	-	P	P	P	P
Wireless communication facility or antenna	See 30-5.32												

LEGEND:

P = Permitted by right; S = Special use permit; A = Accessory; Blank = Use not allowed.

1 = Only when accessory to and in the same building as health services or offices of physicians, dentists, and other health practitioners.

2 = Accessory to and in the same building as health services and comprising less than 25 percent of the gross floor area of the building.

3 = Prohibited where adjacent to single-family zoned property.

4 = Special use permit required for any proposed food truck park with six or more food truck pads when the food truck park's boundaries would be less than 300 feet from the boundary of any single-family zoned property or property that is developed with a single-family dwelling; otherwise, such food truck park is allowed by right.

(Ord. No. 160685 , § 3, 3-15-18; Ord. No. 170975 , § 3, 2-21-19; Ord. No. 190082 , § 1, 10-17-19; Ord. No. 190292 , § 4, 2-20-20; Ord. No. 190714 , § 4, 6-4-20; Ord. No. 190988 , § 4, 9-3-20; Ord. No. 191128 , § 4, 9-17-20)

Sec. 30-4.20. Dimensional standards.

The following tables contain the dimensional standards for the various uses allowed in each district:

Table V-8: Mixed-Use and Nonresidential Districts Dimensional Standards.

	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	W	BI	I-1	I-2
DENSITY/INTENSITY												
Residential density (units/acre)												
Min. ¹	8	12	None	None	10	None	None	None	8	None	None	None
Max.	30	30	20	20	30	None	None	None	30	None	None	None
Nonresidential building coverage	60%	75%	40%	50%	50%	None	None	None	None	None	None	None
Nonresidential GLA (max)	100,000 ²	None ²	None	None	None	None	None	None	None	None	None	None
LOT STANDARDS												
Min. lot area (sq. ft.)	None	None	6,000	6,000	None	None	None	6,000	None	None	None	None
Min. lot width (ft.)	None	None	60	60	None	None	None	60	None	None	None	None
Min. lot depth (ft.)	None	None	90	90	None	None	None	90	None	None	None	None
SETBACKS (ft.)												
Front	10 min. 100 max.	10 min. 100 max.	10 min. 100 max.	10 min. 100 max.	10 min. 100 max.	10 min. 100 max.	15 min.	10 min. 100 max.	25 min.	25 min.	25 min.	25 min.
Side-street (min)	15	15	10	10	10	10	15	10	25	20	25	25
Side-interior (min)	10	10	10	10	10	10	10	10	10 ⁴	10	10 ⁴	20 ⁴
Rear (min)	10	10	10	10	10	10	15	10	10 ⁴	20	10 ⁴	10 ⁴
MAXIMUM BUILDING HEIGHT (stories)												
By right	5	5	3	3	5	5	5	5	5	5	5	5
With building height bonus	8	8	-	8	8	8	-	8	-	-	-	-

LEGEND:

-
- 1 = Lots that existed on November 13, 1991, as recorded in the city and that are less than or equal to 0.5 acres in size are exempt from minimum density requirements.
 - 2 = Developments of 50,000 sq. ft. or more of gross leasable area shall be located along arterials or collectors, as defined in the official roadway map.
 - 3 = Where the yard abuts and is used for access to a railroad siding, the minimum setback shall be zero feet.
 - 4 = Where the rear or side yard abuts U1 or single-family residential zoning or a historic district, section 30-4.8 development compatibility standards shall apply.
- (Ord. No. 170974 , § 8, 2-21-19)

Sec. 30-4.21. Design standards.

A. *Parking.*

1. Motor vehicle parking is required in accordance with article VII. All motor vehicle parking except a double-loaded row of parking shall be located in the rear and/or interior side of the building, unless such a location is prevented by topography, stormwater retention or significant trees, as determined by the appropriate reviewing board, city manager or designee. In no case shall more than 50 percent of the parking be located between the front facade and the primary abutting street, unless modified by the appropriate reviewing board, city manager or designee. However, driveway entrances and exits to parking areas shall be allowed on the front side of the building. There shall be no limit on the number of parking spaces in parking structures.
2. Bicycle parking spaces shall be installed as required by article VII. Such parking may encroach into the public right-of-way and may be located within the building frontage and/or landscape zones. Bicycle parking requirements may be waived if public bicycle parking exists to serve the use.

B. *Sidewalks.*

1. All developments, unless provided otherwise in this chapter, shall provide sidewalks along all street frontage. All developments shall provide pedestrian connections from the public sidewalk to the principal building. Entrance sidewalks shall be a minimum of five feet of clear width.
2. *Minimum sidewalk widths.*

Multi-Family Residential/Industrial	Commercial/Institutional/Office/Mixed-Use
7 feet	8 feet

The minimum unobstructed width shall be two feet less than the required sidewalk width, as long as at least five feet of unobstructed width is retained. At transit stops, the minimum width is eight feet of unobstructed width.

- C. *Building orientation.* The main entrance of buildings or units shall be located on the first floor on the more primary street.
- D. *Glazing.* Building walls facing the more primary street shall have non-reflective, transparent windows or glazed area covering at least 25 percent of their surface at pedestrian level (between three feet and eight feet above grade) on the first floor. Operable transparent entrance doors may be included in the calculation of total facade surface area.
- E. *Mechanical equipment.* All mechanical equipment shall be placed on the roof, in the rear or side of the building, and shall be screened with parapets or other types of visual screening.

(Ord. No. 170831 , § 5, 4-5-18)

APPLICATION—CITY PLAN BOARD
Planning & Development Services

OFFICE USE ONLY

Petition No. PB-19-00147 Fee: \$ N/A
1st Step Mtg Date: N/A EZ Fee: \$ N/A
Tax Map No. 4444 Receipt No. N/A
Account No. 001-660-6680-3401 []
Account No. 001-660-6680-1124 (Enterprise Zone) []
Account No. 001-660-6680-1125 (Enterprise Zone Credit) []

Owner(s) of Record (please print)	
Name:	Jai Sachchidanand Hospitality
Address:	
Phone:	Fax:
(Additional owners may be listed at end of applic.)	

Applicant(s)/Agent(s), if different	
Name:	City of Gainesville, FL
Address:	PO Box 490
Phone:	Fax:

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

REQUEST

Check applicable request(s) below:

Future Land Use Map []	Zoning Map [X]	Master Flood Control Map []
Present designation:	Present designation: *	Other [] Specify:
Requested designation:	Requested designation: **	

INFORMATION ON PROPERTY

1. Street address:	See staff report
2. Map no(s):	4444
3. Tax parcel no(s):	06800-006-000
4. Size of property:	1.79 (MOL) acre(s)
All requests for a land use or zoning change for property of less than 3 acres are encouraged to submit a market analysis or assessment, at a minimum, justifying the need for the use and the population to be served. All proposals for property of 3 acres or more must be accompanied by a market analysis report.	

Certified Cashier's Receipt:

- * Alachua County Business, Tourist, and Entertainment (BR-1)
- ** City of Gainesville General Business (BUS)

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

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

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

A. What are the existing surrounding land uses? See Staff Report

North

South

East

West

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

NO ☒

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

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

See staff report.

Residential streets

Noise and lighting

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

NO X

YES ____

(If yes, please explain below)

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

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

NO X

YES ____

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

NO X

YES ____

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

Redevelopment ____

Activity Center ____

Strip Commercial ____

Urban Infill ____

Urban Fringe ____

Traditional Neighborhood ____

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

See staff report.

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

See staff report.

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

See staff report.

Roadways

Recreation

Water and Wastewater

Solid Waste

Mass Transit

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

NO X

YES ____ (please explain)

CERTIFICATION

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

Owner of Record	
Name:	N/A
Address:	
Phone:	Fax:
Signature:	

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

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

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

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

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

City of Gainesville, FL
 Owner/Agent Signature

December 12, 2019
 Date

STATE OF FLORIDA
 COUNTY OF _____

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

 Signature – Notary Public

Personally Known ____ OR Produced Identification ____ (Type) _____

ORDINANCE NO. 180311

An ordinance of the City of Gainesville, Florida, annexing approximately 1.79 acres of privately-owned property that is generally located south of parcel number 06800-006-001, west of Interstate 75, north of SW Archer Road, and east of SW 43rd Street, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, the Municipal Annexation or Contraction Act, Chapter 171, Florida Statutes, (the "Act"), sets forth criteria and procedures for adjusting the boundaries of municipalities through annexations or contractions of corporate limits; and

WHEREAS, on September 20, 2018, the City Commission of the City of Gainesville received petitions for voluntary annexation of real property located in the unincorporated area of Alachua County, as more specifically described in this ordinance, and determined that the petitions included the signatures of all owners of property in the area proposed to be annexed; and

WHEREAS, the subject property meets the criteria for annexation under the Act; and

WHEREAS, the City has provided all notices required pursuant to the Act, including: 1) notice that has been published in a newspaper of general circulation at least once a week for two consecutive weeks prior to first reading, and which notice gives: a) the ordinance number, b) a brief, general description of the area proposed to be annexed together with a map clearly showing the area, and c) a statement that the ordinance and a complete legal description by metes and bounds of the annexation area can be obtained from the office of the Clerk of the Commission; and 2) not fewer than ten calendar days prior to publishing the newspaper notice, the City Commission has

provided a copy of the notice, via certified mail, to the Alachua County Board of County Commissioners; and

WHEREAS, public hearings were held pursuant to the notice described above during which the parties in interest and all others had an opportunity to be and were, in fact, heard.

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

SECTION 1. The City Commission finds that the property described in Section 2 of this ordinance is reasonably compact and contiguous to the present corporate limits of the City of Gainesville and that no part of the subject property is within the boundary of another municipality or outside of the county in which the City of Gainesville lies. The City Commission finds that annexing the subject property into the corporate limits of the City of Gainesville does not create an enclave of unincorporated property.

SECTION 2. The property described in **Exhibit A**, which is attached hereto and made a part hereof as if set forth in full, is annexed and incorporated within the corporate limits of the City of Gainesville, Florida.

SECTION 3. The corporate limits of the City of Gainesville, Florida, as set forth in Appendix I, Charter Laws of the City of Gainesville, are amended and revised to include the property described in Section 2 of this ordinance.

SECTION 4. In accordance with Section 171.062, Florida Statutes, the Alachua County land use plan and zoning or subdivision regulations shall remain in full force and effect in the property described in Section 2 of this ordinance until the City adopts a comprehensive plan amendment that includes the annexed area. The City of Gainesville shall have jurisdiction to enforce the

Alachua County land use plan and zoning or subdivision regulations through the City of Gainesville's code enforcement and civil citation processes.

SECTION 5. (a) All persons who are, as of the effective date of this ordinance, lawfully engaged in any occupation, business, trade, or profession within the property area described in Section 2 of this ordinance shall have the right to continue such occupation, business, trade, or profession, but shall obtain a business tax receipt from the City of Gainesville for the term commencing on October 1, 2019, which tax receipt shall be issued upon payment of the appropriate fee in accordance with the Gainesville Code of Ordinances in effect on October 1, 2019.

(b) All persons who are, as of the effective date of this ordinance, lawfully engaged in any construction trade, occupation, or business within the property area described in Section 2 of this ordinance and who possess a valid certificate of competency issued by Alachua County shall have the right to continue the construction trade, occupation, or business within the entire corporate limits of the City of Gainesville, including the subject area, subject to the terms, conditions, and limitations imposed on the certificate by Alachua County, and provided that such persons register the certificate with the Building Inspections Division of the City of Gainesville and the Department of Business and Professional Regulation of the State of Florida, if applicable, on or before 4:00 p.m. of the effective date of this ordinance.

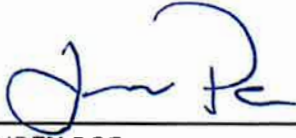
SECTION 6. The Clerk of the Commission is directed to submit a certified copy of this ordinance to the following parties within seven calendar days after the adoption of this ordinance: 1) the Florida Department of State; 2) the Clerk of the Circuit Court of the Eighth Judicial Circuit in and for Alachua County, Florida; and 3) the Chief Administrative Officer of Alachua County.

SECTION 7. If any word, phrase, clause, paragraph, section, or provision of this ordinance or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 8. All other ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 9. This ordinance shall become effective immediately upon adoption.

PASSED AND ADOPTED this 3rd day of January, 2019.



LAUREN POE
MAYOR

Attest:

Approved as to form and legality:



OMICHELE D. GAINES
CLERK OF THE COMMISSION



NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance passed on first reading this 6th day of December, 2018.

This ordinance passed on second reading this 3rd day of January, 2019.

LEGAL DESCRIPTION

A PORTION OF THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 14, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

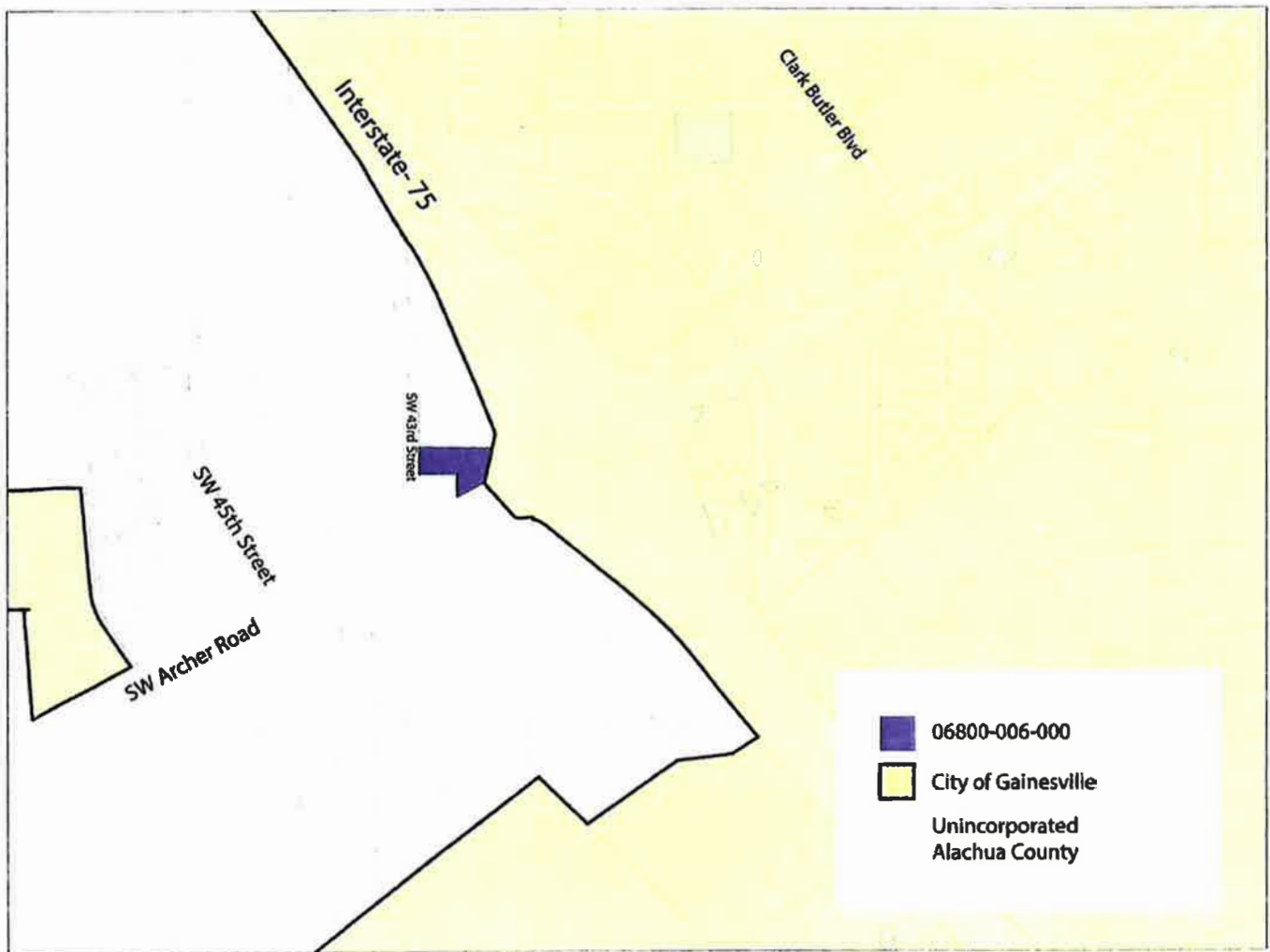
COMMENCE AT A NAIL AND DISK (STAMPED "PRM 2228") FOUND AT THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF FRACTIONAL SECTION 14, TOWNSHIP 10 SOUTH, RANGE 19 EAST, AND RUN THENCE SOUTH 00°51'46" EAST, ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 2146.95 FEET; THENCE NORTH 89°08'14" EAST, 61.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°08'14" EAST, 398.35 FEET, TO A POINT ON THE WESTERLY LIMITED ACCESS RIGHT OF WAY LINE TO INTERSTATE HIGHWAY I-75 ALSO BEING A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER CITY ORDINANCE NUMBER 080137; THENCE SOUTH 10°16' 25" WEST, ALONG SAID WESTERLY LIMITED ACCESS RIGHT OF WAY LINE AND EXISTING CITY OF GAINESVILLE LIMIT LINE, 226.15 FEET, TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 24 (ARCHER ROAD); THENCE LEAVING SAID WESTERLY LIMITED ACCESS RIGHT OF WAY LINE AND CITY LIMIT LINE SOUTH 57°59'54" WEST, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE OF ARCHER ROAD, 161.10 FEET; THENCE NORTH 05°44'04" WEST, 140.22 FEET; THENCE SOUTH 89°08'14" WEST, 204.87 FEET, TO A POINT LYING 61 FEET EASTERLY OF THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 00°51'46" WEST, PARALLEL WITH AND 61 FEET EASTERLY OF SAID WEST LINE, 165.48 FEET, TO THE POINT OF BEGINNING.

CONTAINING 77,891 SQUARE FEET OR 1.788 ACRES, MORE OR LESS.

THE BEARING STRUCTURE OF THE HEREIN DESCRIBED PARCEL IS BASED ON THE DEED FOUND IN OFFICIAL RECORDS BOOK 2845, PAGE 111.

Exhibit A to Ordinance No. 180311

Page 1 of 2



Select Year: 2018 ▼ Go

The 2018 Florida Statutes

Title XII MUNICIPALITIES

Chapter 171 LOCAL GOVERNMENT BOUNDARIES

[View Entire Chapter](#)

171.062 Effects of annexations or contractions.—

(1) An area annexed to a municipality shall be subject to all laws, ordinances, and regulations in force in that municipality and shall be entitled to the same privileges and benefits as other parts of that municipality upon the effective date of the annexation.

(2) If the area annexed was subject to a county land use plan and county zoning or subdivision regulations, these regulations remain in full force and effect until the municipality adopts a comprehensive plan amendment that includes the annexed area.

(3) An area excluded from a municipality shall no longer be subject to any laws, ordinances, or regulations in force in the municipality from which it was excluded and shall no longer be entitled to the privileges and benefits accruing to the area within the municipal boundaries upon the effective date of the exclusion. It shall be subject to all laws, ordinances, and regulations in force in that county.

(4)(a) A party that has an exclusive franchise which was in effect for at least 6 months prior to the initiation of an annexation to provide solid waste collection services in an unincorporated area may continue to provide such services to an annexed area for 5 years or the remainder of the franchise term, whichever is shorter, if:

1. The franchisee provides, if the annexing municipality requires, a level of quality and frequency of service which is equivalent to that required by the municipality in other areas of the municipality not served by the franchisee, and
2. The franchisee provides such service to the annexed area at a reasonable cost. The cost must include the following as related to providing services to the annexed area:
 - a. Capital costs for land, structures, vehicles, equipment, and other items used for solid waste management;
 - b. Operating and maintenance costs for solid waste management;
 - c. Costs to comply with applicable statutes, rules, permit conditions, and insurance requirements;
 - d. Disposal costs; and
 - e. A reasonable profit.

If the municipality and the franchisee cannot enter into an agreement as to such cost, they shall submit the matter of cost to arbitration.

(b) A municipality, at its option, may allow the franchisee to continue providing services pursuant to the existing franchise agreement.

(c) A municipality may terminate any franchise if the franchisee does not agree to comply with the requirements of paragraph (a) within 90 days after the effective date of the proposed annexation.

(5) A party that has a contract that was in effect for at least 6 months prior to the initiation of an annexation to provide solid waste collection services in an unincorporated area may continue to provide such services to an annexed area for 5 years or the remainder of the contract term, whichever is shorter. Within a reasonable time following a written request to do so, the party shall provide the annexing municipality with a copy of the pertinent portion of the contract or other written evidence showing the duration of the contract, excluding any automatic renewals or so-called "evergreen" provisions. This subsection does not apply to contracts to provide solid waste collection services to single-family residential properties in those enclaves described in s. [171.046](#).

History.—s. 1, ch. 74-190; s. 22, ch. 85-55; s. 1, ch. 88-92; s. 17, ch. 93-206; s. 2, ch. 93-243; s. 2, ch. 2000-304.

ARTICLE IV. - COMMERCIAL DISTRICTS

Sec. 403.11. - Commercial district descriptions.

- (a) *Administrative and professional (AP) district.* The administrative and professional (AP) district implements the commercial, office, and office/residential policies of the comprehensive plan and the associated designations on the future land use map. This zoning district may also implement the policies and associated designations for rural clusters and rural employment centers. Permitted uses are found on the Use Table in Article II of Chapter 404. Any use with a blank cell for this district in the Use Table or that does not meet the requirements of section 404.08 for similar uses is prohibited.
- (b) *Business and professional (BP) district.* The business and professional (BP) district implements the commercial and office policies of the comprehensive plan and the associated designations on the future land use map. This zoning district may also be appropriate in rural clusters and rural employment centers. Permitted uses are found on the Use Table in Article II of Chapter 404. Any use with a blank cell for this district in the Use Table or that does not meet the requirements of section 404.08 for similar uses is prohibited.
- (c) *Retail sales and services (BR) district.* The retail sales and service (BR) district implements the commercial policies in the comprehensive plan and the associated designations on the future land use map, as well as the neighborhood convenience commercial policies of the comprehensive plan. This district may also be appropriate in rural clusters and rural employment centers. Permitted uses are found on the Use Table in Article II of Chapter 404. Any use with a blank cell for this district in the Use Table or that does not meet the requirements of section 404.08 for similar uses is prohibited.
- (d) *Business, tourist and entertainment (BR-1) district.* The business, tourist and entertainment (BR-1) district implements the tourist/entertainment policies and the associated designations on the future land use map and the policies of the comprehensive plan. Permitted uses are found on the Use Table in Article II of Chapter 404. Any use with a blank cell for this district in the Use Table or that does not meet the requirements of section 404.08 for similar uses is prohibited. The BR-1 district is intended to provide commercial uses oriented primarily toward services for the short term visitor to Alachua County, by providing lodging and related commercial uses at the following locations:
 - (1) Designated highway interchanges with Interstate 75;
 - (2) Locations adjacent to natural resources, consistent with the protection of those resources; or
 - (3) Locations adjacent to other major tourist destinations.
- (e) *Highway oriented business services (BH) district.* The highway oriented business services (BH) district implements the commercial and tourist/entertainment policies of the comprehensive plan and the associated designations on the future land use map. Permitted uses are found on the Use Table in Article II of Chapter 404. Any use with a blank cell for this district in the Use Table or that does not meet the requirements of section 404.08 for similar uses is prohibited.
- (f) *Automotive oriented business (BA and BA-1) districts.* The automotive oriented business (BA and BA-1) districts implement the commercial policies of the comprehensive plan and the associated designations within activity centers on the future land use map. Permitted uses are found on the Use Table in Article II of Chapter 404. Any use with a blank cell for this district in the Use Table or that does not meet the requirements of section 404.08 for similar uses is prohibited.
- (g) *Business marine (MB) district.* The business marine (MB) district implements certain elements of the tourist/entertainment policies of the comprehensive plan and associated designations in areas adjacent to lakes, rivers or other natural bodies of water. Permitted uses are found on the Use Table in Article II of Chapter 404. Any use with a blank cell for this district in the Use Table or that does not meet the requirements of section 404.08 for similar uses is prohibited.

(Ord. No. 05-10, § 2, 12-8-05; Ord. No. 06-14, § 2(Exh. A), 7-20-06)

Sec. 403.12. - Commercial district standards.

Within all commercial zoning districts, principal building and accessory buildings shall be located and constructed in accordance with the requirements of Table 403.12.1.

Table 403.12.1
Standards for Commercial Districts

Standards	Zoning Districts					
	AP	BP	BR, BR-1	BH	BA, BA-1	MB
<i>Lot Dimensions</i>						
Min Area (sq ft)	5,000	5,000	5,000	5,000	5,000	5,000
Width at front building line, min (ft)	50	50	50	50	50	50
Depth, min. (ft)	100	100	100	100	100	100
<i>Setbacks</i>						
Front, min. (ft)	25	25	25	25	25	25
Rear, min. (ft)	10	10	5 ¹	5 ¹	5 ¹	5 ¹
Interior side, min. (ft)	5 ²	5 ²	5 ²	5 ²	5 ²	5 ²
Street side, min. (ft)	25	25	25	25	15	15
<i>Building Standards</i>						
Height, max (ft)	35	45	65	65	45	35
Building coverage, max (% of gross land area)	40%	40%	N/A	N/A	N/A	N/A

¹ Where the rear yard abuts a residential or agriculture zoning district, a minimum rear setback of 25 feet shall be required.

² Six inches of additional side yard shall be required for each foot of building height over 35 feet when abutting single-family residential uses or zoning.

(Ord. No. 05-10, § 2, 12-8-05; Ord. No. 06-14, § 2(Exh. A), 7-20-06; Ord. No. 07-07, § 2(Exh. A), 4-27-07; Ord. No. 2016-22, § 2(Exh. A), 11-8-16)

Sec. 403.13. - Commercial district requirements.

Within all commercial zoning districts, the regulations listed below shall apply.

- (a) *Building orientation.* Business uses shall be oriented to face other business or commercial districts across a street.
- (b) *Vehicle access to business uses.* All commercial uses must have direct access to a paved roadway. If property located within a business or commercial zoning district possesses frontage on two or more streets, and if one or more of such frontages abuts a residential zoning district, vehicle access to the property shall be provided only along a frontage that does not abut the residential district. This requirement may be waived by the director and county engineer.
- (c) *Front setbacks in activity centers.* Buildings located within an activity center may be designed with a front and street side building setback of five feet.
- (d) *Subdivision after development plan approval.* Where a commercial property with an approved development plan is subdivided by metes and bounds description after approval of the development plan, the dimensional standards in Table 403.12.1 shall be defined by the approved development plan.
- (e) *Commercial uses within rural clusters.*
 - (1) There shall be a maximum of up to 30,000 square feet of total commercial floor area for each rural cluster in accordance with Policy 6.4.3(b) of the Comprehensive Plan, Future Land Use Element. The amount of commercial development appropriate for any rural cluster should be relative to the population being served.
 - (2) Within a rural cluster, any new individual commercial structure shall be limited to a maximum gross floor area of 5,000 square feet and a maximum height of 35 feet. A maximum gross floor area greater than 5,000 square feet may be allowed as a special exception in accordance with Chapter 402 Article XVII in the BP or BR zoning districts, if the proposed use is demonstrated to be compatible with the size, scale, and character of the existing land uses within the rural cluster and the immediate surrounding land uses designated in the comprehensive plan.

(Ord. No. 05-10, § 2, 12-8-05; Ord. No. 06-14, § 2(Exh. A), 7-20-06; Ord. No. 09-01, § 2(Exh. A), 2-24-09; Ord. No. 12-09, § 2(Exh. A), 10-9-12; Ord. No. 2015-17, § 2, 12-8-15; Ord. No. 2016-10, § 2(Exh. A), 6-28-16)



Department Review Status Report

Project Name: PB-19-00147 Country Inn & Suites

Workflow Started: 11/05/2019 2:41 PM

Report Generated: 04/12/2021 10:09 AM

Cycle	Department	Reviewer	Email	Status	Reviewer Comments	Applicant Comments
1	Alachua County EPD	Gus Olmos	gus@alachuacounty.us	No Review Required		
	Building Coordinator	Paul Myers	myerspt@cityofgainesville.org	No Review Required		
	Environmental	Liliana Kolluri	kollurils@cityofgainesville.org	Approved		
	Gainesville Fire Rescue Department	Tom Burgett	burgettta@cityofgainesville.org	Approved	Approvable	
	GRU New Services Department	Wendy Mercer	MercerWL@gru.com	Approved		
	Historic Preservation	Jason Simmons	simmonsja@cityofgainesville.org	No Review Required		
	Planners	Bede Massey	masseybe@cityofgainesville.org	Approved	Approval is subject to City Commission approval.	
	Public Works - Design	Rick Melzer	melzerra@cityofgainesville.org	Approved		
	Public Works Constructability	Matt Williams	williamsm@cityofgainesville.org	No Review Required		
	Public Works Solid Waste	Steve Joplin	joplinsh@cityofgainesville.org	Approved		
	Public Works Stormwater	Gail Mowry	mowrygl@cityofgainesville.org	No Review Required	Facility is existing and stormwater system in place.	
	Public Works Survey	Pat Durbin	durbinpr@cityofgainesville.org	No Review Required	nothing accessible to review	
	Transportation Mobility	Jason Simmons	simmonsja@cityofgainesville.org	Approved		
	Urban Forestry	Liliana Kolluri	kollurils@cityofgainesville.org	Approved		
	Department of Mobility	Scott Wright	wrightsa@cityofgainesville.org	Approved		
	Public Works Stormwater Management Utility	Mary Frieg	FriegMC@cityofgainesville.org	No Review Required		





PE-19-40 LUC. & PB-19-4770N

Thursday, April 22, 2021 8:30 PM

LAND USE/ ZONING



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