



MEEKS REZONING

Application Package

~~September 28, 2017~~

REVISED November 2, 2017

Prepared for:

City of Alachua Office of Planning and Zoning

Prepared on behalf of:

DM Alachua Investments, LLC

Prepared by:

CHW

PN# 17-0218

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1. Cover Letter
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7. Justification Report – REVISED 11/2/2017
8. Map Set
9. Response to DRT Comments
10. Proof of Corporate Ownership (Sunbiz)

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November 2, 2017

Adam Hall, AICP, Planning & Community Development, Planner
City of Alachua
15100 NW 142nd Terrace
Alachua, FL 32615

Re: Meeks Rezoning Application – Response to DRT Comments
(A Portion of Tax Parcel No. 05936-001-000)

Dear Adam,

CHW submits the revised Rezoning application package, which addresses Development Review Team (DRT) comments received October 26, 2017 for the above-referenced project. The resubmittal includes the entire Rezoning application package, as well as the following revised or supplemental application items:

- Justification Report (Revised);
- Memo - Response to DRT Comments (Supplemental); and
- Proof of Corporate Ownership (Supplemental).

We trust this submittal is sufficient for your review and subsequent approval by the City Planning & Zoning Board and City Commission. If you have any questions or need additional information, please call me at (352) 331-1976.

Sincerely,
CHW



Ryan Thompson, AICP
Project Manager

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THE GOOD LIFE COMMUNITY

FOR PLANNING USE ONLY

Case #: _____
Application Fee: \$ _____
Filing Date: _____
Acceptance Date: _____
Review Type: P&Z; CC

Site Specific Amendment to the Official Zoning Atlas Amendment (Rezoning) Application

Reference City of Alachua Land Development Regulations Article 2.4.2

A. PROJECT

1. Project Name: Meeks Rezoning
2. Address of Subject Property: 9900 NW US HWY 441 GAINESVILLE
3. Parcel ID Number(s): portion of tax parcel 05936-001-000
4. Existing Use of Property: single-family residential, agriculture (pasture)
5. Future Land Use Map Designation : Commercial
6. Existing Zoning Designation: Agricultural
7. Proposed Zoning Designation: Commercial, Intensive (CI)
8. Acreage: ±9.9

B. APPLICANT

1. Applicant's Status Owner (title holder) Agent
2. Name of Applicant(s) or Contact Person(s): Ryan Thompson Title: Project Manager
Company (if applicable): CHW
Mailing address: 132 NW 76th Drive
City: Gainesville State: FL ZIP: 32607
Telephone: (352) 331-1976 FAX: (352) 331-2476 e-mail: ryant@chw-inc.com
3. If the applicant is agent for the property owner*:
Name of Owner (title holder): DM Alachua Investments, LLC
Mailing Address: 4045 NW 43rd Street, Suite A
City: Gainesville State: FL ZIP: 32606

* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

C. ADDITIONAL INFORMATION

1. Is there any additional contact for sale of, or options to purchase, the subject property? Yes No
If yes, list names of all parties involved: _____
If yes, is the contract/option contingent or absolute? Contingent Absolute

D. ATTACHMENTS

1. Statement of proposed change, including a map showing the proposed zoning change and zoning designations on surrounding properties
2. A current aerial map or plat of the property. (may be obtained from the Alachua County Property Appraiser.)
3. Concurrency Impact Analysis showing the impact on public facilities, including potable water, sanitary sewer, transportation, solid waste, recreation, stormwater, and public schools in accordance with Article 2.4.14 of the Land Development Regulations.
4. Analysis of Consistency with the City of Alachua Comprehensive Plan (analysis must identify specific Goals, Objectives, and Policies and describe in detail how the application complies with the noted Goal, Objective, or Policy.)

5. Analysis of compliance with the Standards for Site Specific Amendments to the Official Zoning Atlas, as defined in Section 2.4.2 of the Land Development Regulations (LDRs), and listed below:
 - i. *Consistent with Comprehensive Plan*
The proposed amendment is consistent with and furthers the goals, objectives, and policies of the Comprehensive Plan.
 - ii. *Consistent with Ordinances*
The proposed amendment is not in conflict with any portion of these LDRs or any of the City Code of Ordinances.
 - iii. *Logical Development Pattern*
The proposed amendment would result in a logical and orderly development pattern.
 - iv. *Pre-Mature Development*
The proposed amendment will not create premature development in undeveloped or rural areas.
 - v. *Incompatible with Adjacent Lands*
The uses permitted by the proposed amendment are not incompatible with existing land uses of adjacent lands and/or the uses permitted by the zone district classifications of adjacent lands.
 - vi. *Adverse Effect on Local Character*
The proposed amendment will not adversely effect the character of the general area where it is proposed to be located by creating excessive traffic, density and/or intensities of use, building height and bulk, noise, lights, or other physical effects or nuisances.
 - vii. *Not Deviate from Pattern of Development*
The uses permitted by the proposed amendment will not deviate from the development pattern (both established and as proposed by surrounding zone districts) of the area where the proposed amendment is located.
 - viii. *Encourage Sprawl*
The proposed amendment will not encourage urban sprawl, either by resulting in strip or ribbon commercial development, leap-frog development or low density single dimensional development.
 - ix. *Spot Zoning*
The proposed amendment will not result in the creation of an isolated zone district unrelated to adjacent and surrounding zone districts (spot zoning).
 - x. *Public Facilities*
The proposed amendment will not result in development in a location where there are no plans by the City or other governmental entities to provide public facilities to serve the development (roads, potable water, wastewater, parks, storm water management, and solid wastes), and there are no assurances by the private sector that public facilities are planned and will be available to adequately accommodate development.
 - xi. *No Adverse Effect on the Environment*
The proposed amendment would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.
6. Three (3) sets of labels for all property owners within 400 feet of the subject property boundaries – even if property within 400 feet falls outside of City limits. (Obtain from the Alachua County Property Appraiser).
7. Neighborhood Meeting Materials, including:
 - i. Copy of the required published notice (advertisement) – must be published a newspaper of general circulation, as defined in Article 10 of the City's Land Development Regulations
 - ii. Copy of written notice (letter) sent to all property owners within 400 feet, and mailing labels or list of those who received written notice
 - iii. Written summary of meeting – must include (1) those in attendance; (2) a summary of the issues related to the development proposal discussed; (3) comments by those in attendance about the development proposal; and, (4) any other information deemed appropriate.
8. For applications requesting a zoning which permits residential uses, Public School Student Generation Form.
9. Legal description with tax parcel number.

- 10. Proof of ownership.
- 11. Proof of payment of taxes.
- 12. **Fee.** Please see fee schedule for fee determination. No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any necessary technical review will be billed to the applicant at the rate of the reviewing entity. The invoice shall be paid in full prior to any legislative and/or quasi-judicial action of any kind on the petition, appeal, or development application.

All 12 attachments are required for a complete application. A completeness review of the application will be conducted within five (5) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge.



 Signature of Applicant

 Signature of Co-applicant

C. Ryan Thompson, AICP, Project Manager

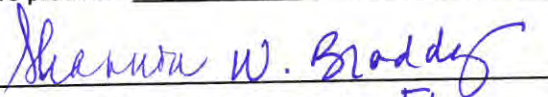
 Typed or printed name and title of applicant

 Typed or printed name of co-applicant

State of Florida County of Alachua

The foregoing application is acknowledged before me this 27 day of September, 2017, by C. Ryan Thompson

_____, who is/are personally known to me or who has/have produced _____
 as identification.



 Signature of Notary Public, State of FL



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City of ALACHUA

THE GOOD LIFE COMMUNITY

Authorized Agent Affidavit

A. PROPERTY INFORMATION

Address of Subject Property: 9900 NW US441, Alachua, FL 32653
Parcel ID Number(s): 05936-001-000
Acreage: 9.8 ±

B. PERSON PROVIDING AGENT AUTHORIZATION

Name: David W. Meeks Title: Manager
Company (if applicable): DM Alachua Investments, LLC
Mailing Address: 4045 NW 43 St
City: Gainesville State: FL ZIP: 32606
Telephone: 352-222-4088 FAX: _____ e-mail: david.meeks@gmail.com

C. AUTHORIZED AGENT

Name: _____ Title: _____
Company (if applicable): CITW Professional Consultants
Mailing address: 137 NW 76 Dr
City: Gainesville State: FL ZIP: 32607
Telephone: 331-1976 FAX: _____ e-mail: craig@chw-inc.com

D. REQUESTED ACTION:

The Futureland Use designation for the site is Commercial and the zoning is Agriculture. I am requesting to make the zoning consistent with the FLU designation.

I hereby certify that I am the property owner of record, or I have received authorization from the property owner of record to file an application for a development permit related to the property identified above. I authorize the agent listed above to act on my behalf for purposes of this application.

David W. Meeks
Signature of Applicant

Signature of Co-applicant

David W. Meeks
Typed or printed name and title of applicant

Typed or printed name of co-applicant

State of Florida County of Dixie

The foregoing application is acknowledged before me this 7th day of Sept., 2017 by David

Meeks, who is/are personally known to me, or who has/have produced _____ as identification.

Sharon L. Barron
Signature of Notary Public, State of Florida



City of Alachua ♦ Planning and Community Development Department
PO Box 9 ♦ Alachua, FL 32616 ♦ (386) 418-6121
Revised 9/30/2014

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LEGAL DESCRIPTION

A 9.998-acre Portion of Tax Parcel 05936-001-000:

A PARCEL OF LAND SITUATED IN SECTION 34, TOWNSHIP 8 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA; SAID PAREL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 4" SQUARE CONCRETE MONUMENT (NO Id.) MARKING THE SOUTHEAST CORNER OF SAID SECTION 34 FOR A POINT OF REFERENCE; THENCE RUN N06°30'00"W ALONG THE EAST LINE THEREOF, A DISTANCE OF 831.95 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021) AND THE POINT OF BEGINNING; THENCE CONTINUE N06°30'00"W ALONG SAID EAST LINE, A DISTANCE OF 810.27 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021) LYING ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 441; THENCE RUN N38°48'47"W ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 276.58 FEET TO A 4" SQUARE CONCRETE MONUMENT (GFY LB021); THENCE RUN S79°31'06"W, A DISTANCE OF 600.46 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021); THENCE RUN S38°48'47"E PARALLEL TO SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1254.39 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021); THENCE RUN N46°21'45"E, A DISTANCE OF 95.75 FEET TO THE POINT OF BEGINNING.

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Parcel: 05936-001-000

Search Date: 9/19/2017 at 10:36:48 AM

Taxpayer: SCHMIDT, ANN HEIRS	Legal: GOVT LOTS 6 7 8 W OF R/W LESS OR 608/45 & 206 LESS PART IN OR 662/295 AND LESS PART OF TRACT DESCRIBED IN OR 1019/90 - LESS COM SW COR OF GOV LOT 6 THE POB E 497.88 FT N 937.31 FT S 52 DEG W 634.91 FT S 559.59 FT TO POB LESS N 54.32 ACRES - LYING W OF US 441 PER OR 1368/488 LESS OR 1633/2785 LESS 3.48 AC TO JULE LYING IN SE COR G L 8 PER OR 1661/1540 LESS - COM SE COR STAGHORN UNIT 1 PB J-94 S 38 DEG E 496.80 FT POB S 38 DEG E 575 FT S 79 DEG W 1251.91 FT N 22 DEG W 575 FT N - 72 DEG E 637.41 FT S 84 DEG E 483.70 FT POB PER OR 1890/0091)(LESS THAT PART KNOWN AS PARCEL C AND PART OF PARCEL B - LYING IN 34-8-19 PER OR 2091/0189) (LESS COM NW COR GOV'T LOT 6 S 318.89 FT M/L TO C/L TURKEY CREEK POB S 1678.86 FT - N 53 DEG E 634.84 FT N 994.88 FT TO C/L TURKEY CREEK NWLY 967.33 FT M/L POB PER OR 2504/0271)(LESS THE WLY PART W/ OF - CREEK PER OR 2899/1097)
Mailing: 7305 MYSTIC WAY PORT ST LUCIE, FL 34986	
Location: 9900 NW US HWY 441 GAINESVILLE	
Sec-Twn-Rng: 34-08-19	
Property Use: 06100 - Grzgsol Class2	
Tax Jurisdiction: Alachua - 1700	
Area: 8-19 Rural	
Subdivision: Placeholder	

YeaR	Property Use	Land Assessed Value	Land Just Value	Building Value	Misc Value	Total Just Value	Deferred Value	County Assessed	School Assessed	County Exempt	School Exempt	County Taxable	School Taxable	Total Taxes
2016	Grzgsol Class2	21700	780200	215200	23800	1019200	0	260700	260700	0	0	260700	260700	6449.59
2015	Grzgsol Class2	21700	780200	200700	26700	1007600	0	249100	249100	0	0	249100	249100	6281.51
2014	Grzgsol Class2	21600	780200	193700	26700	1000600	0	242000	242000	0	0	242000	242000	6028.27
2013	Grzgsol Class2	21600	780200	179200	26700	986100	0	227500	227500	0	0	227500	227500	5666.86
2012	Grzgsol Class2	21600	780200	181900	26700	988800	0	230200	230200	0	0	230200	230200	5723.29
2011	Grzgsol Class2	21600	780200	189400	29800	999400	16380	224420	224420	50500	25500	173920	198920	4650.64
2010	Grzgsol Class2	21600	780200	218300	29800	1028300	40720	228980	228980	50500	25500	178480	203480	4733
2009	Grzgsol Class2	20800	780200	254700	29800	1064700	73250	232050	232050	50500	25500	181550	206550	4804.21
2008	Grzgsol Class2	20800	780200	270200	29800	1080200	83990	236810	0	50500	0	186310	0	4453.85
2007	Grzgsol Class2	20800	780200	259900	29800	1069900	82620	227880	0	25500	0	202380	0	4623.73

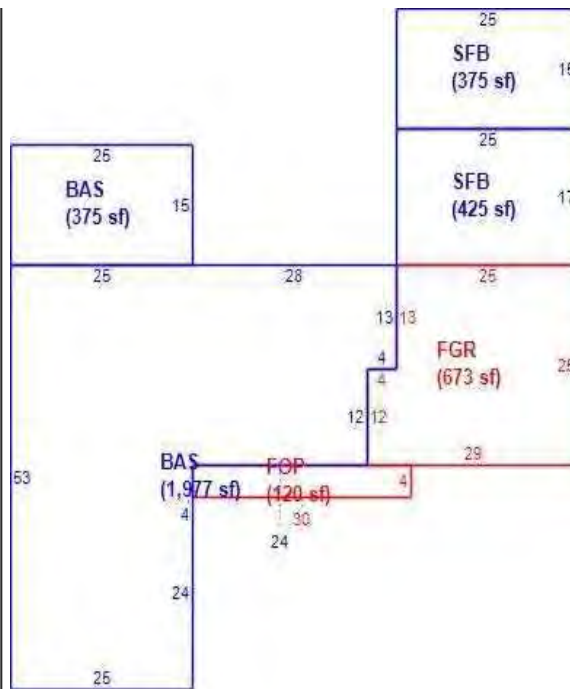
Land

Use	Zoning Type	Zoning Desc	Unit Type	Units
Pasture 2	A		Acre	78.69
Pine/Hardwood	A		Acre	7
SFR	A		Acre	1
			2016 Certified Land Just Value: 780200	2016 Certified Land Assessed Value: 21700

Building

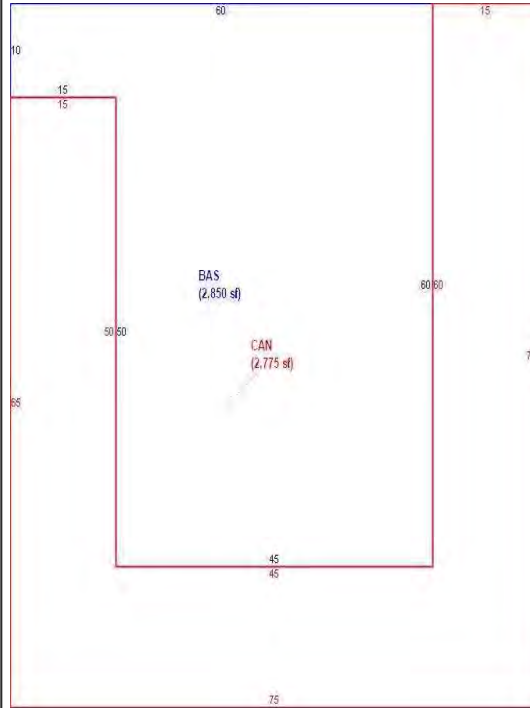
Actual Year Built	1967	Footprint_file = 28931_28931.jpg
Effective Year Built	1975	
Building Quality	Average	
Building Style	Single Family	
Building Use	Single Family	
Bedrooms:	4	
Baths:	4.0	
Stories:	1.0	
Exterior Wall 1:	Face Brick	
Exterior Wall 2:	Bd And Bat Aav	
Interior Wall 1:	Drywall	
Interior Wall 2:	N/A	
Floor Cover 1:	Carpet	
Floor Cover 2:	Hardwood	
Roof Cover:	Asphalt	
Roof Structure:	Gable/Hip	
AC:	Central	
Heating Type:	Forced Air	
Heating System:	Electric	
Total Square Feet:	3945	
Heated Square Feet:	3152	
Area Type	Square Footage	
BAS (BASE AREA)	2352	

FGR (FINISHED GARAGE)	673
FOP (FINISHED OPEN PORCH)	120
SFB (SEMI-FINISHED BASE)	800



Actual Year Built	1993
Effective Year Built	1993
Building Quality	Average
Building Style	Warehouse
Building Use	Warehouse Storage
Bedrooms:	
Baths:	
Stories:	1.0
Exterior Wall 1:	Concrete Block
Exterior Wall 2:	N/A
Interior Wall 1:	None
Interior Wall 2:	N/A
Floor Cover 1:	Fin Concrete
Floor Cover 2:	N/A
Roof Cover:	Minimum
Roof Structure:	Steel Fr/Truss
AC:	None
Heating Type:	None
Heating System:	None
Total Square Feet:	5625
Heated Square Feet:	2850
Area Type	Square Footage
BAS (BASE AREA)	2850
CAN (Canopy (No Sides))	2775

Footprint_file = 28931_201634.jpg



2016 Certified Building Value: 215200

Miscellaneous

Description	Unit Type	Units
2221 - Stg 1	SF	720
0661 - CP 1	SF	405
0800 - Drive/Walk	SF	250
0959 - FP 2	UNITS	1
0800 - Drive/Walk	SF	6670

1762 - Pool 2	SF	800
1643 - Patio 3	SF	1700
0200 - A/C 1	UNITS	1
2181 - Stable 1	SF	672
		2016 Certified Miscellaneous Value: 23800

Doc Stamp-Deed: \$17,500.00



Prepared by and return to:

Patrice Boyes, P.A.
5700 SW 34th Street Suite 1120
Gainesville, FL 32608
352-372-2684
File Number: 17-01
Will Call No.: 352-372-2684

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 10th day of May, 2017 between **Julie L. Schmidt, a single man**, whose post office address is **960 Oak Street, Merritt Island, FL 32953**, **Thomas Alan Schmidt and Mary Lynn Schmidt, his wife**, whose post office address is **1103 North Washington, Nevada, MO 64772**, and **Patricia M. Schmidt Richard and Shepherd Richard, her husband**, whose post office address is **7305 Mystic Way, Port St. Lucie, FL 34986**, together, grantor, and **DM Alachua Investments, LLC, a Florida limited liability company**, whose post office address is **4045 NW 43rd St, Gainesville, FL 32606**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Alachua County, Florida** to-wit:

See legal description attached as Exhibit A.

NOTE: The property herein described is not the homestead of the grantor(s) and neither the grantor(s) nor the grantor(s) spouse(s), nor anyone for whose support the grantor is responsible, resides on or adjacent to said land. **AND, THE DEED WAS PREPARED WITHOUT BENEFIT OF A SURVEY.**

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2016**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

(SIGNATURES BEGIN ON THE NEXT PAGE)

Signed, sealed and delivered in our presence:

[Signature]
Witness

DOROTHY SAUTER
Printed Name

[Signature]
Witness

Maria Coriell
Printed Name

Nancy S Martin POA
Jule L. Schmidt, a single man

State of Florida
County of Brevard

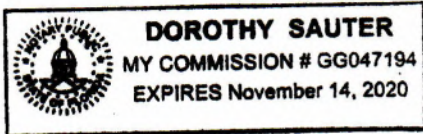
The foregoing instrument was sworn to and subscribed before me the 2 day of MAY, 2017 by Jule L. Schmidt who is personally known or has produced a driver's license as identification.

POA NANCY SCHMIDT MARTIN appeared before me and produced FLORIDA DRIVERS LICENSE as identification
[Notary Seal]

[Signature]
Notary Public

Printed Name: DOROTHY SAUTER

My Commission Expires: 11-14-2020



(SIGNATURES CONTINUE ON THE NEXT PAGE)

[Signature]

Witness

Patrick Renwick
Printed Name

[Signature]
Witness

Amber Reasoner
Printed Witness Name

[Signature]
Witness

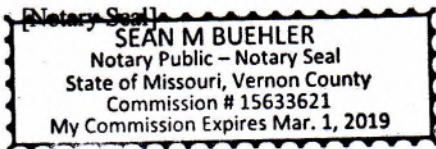
Patrick Renwick
Printed Name

[Signature]
Witness

Amber Reasoner
Printed Name

State of Missouri
County of Vernon

The foregoing instrument was sworn to and subscribed before me the 2nd day of May, 2017 by Thomas Alan Schmidt and Mary Lynn Schmidt, husband and wife, who are personally known or have produced a driver's license as identification.



[Signature]
Thomas Alan Schmidt, husband

[Signature]
Mary Lynn Schmidt, wife

[Signature]
Notary Public

Printed Name: Sean M. Buehler

My Commission Expires: Mar. 1st 2019

(SIGNATURES CONTINUE ON THE NEXT PAGE)

[Signature]
Witness

[Signature]
Printed Name

[Signature]
Witness

Yenea Noy-Barrios
Printed Name

[Signature]
Witness

[Signature]
Printed Name

[Signature]
Witness

Yenea Noy-Barrios
Printed Name

[Signature]
Patricia M. Schmidt Richard, wife

[Signature]
Shepherd Richard, husband

State of Florida
County of St. Lucie

The foregoing instrument was sworn to and subscribed before me the 3 day of May, 2017 by Patricia M. Schmidt Richard and Shepherd Richard, husband and wife, who are personally known or have produced a driver's license as identification.

[Notary Seal]



[Signature]
Notary Public

Printed Name: Somphavanh Inthisane-Lovanh

My Commission Expires: 2/11/2018

Exhibit A

The land referred to herein below is situated in the County of Alachua, State of Florida, and is described as follows:

WEST HALF (W 1/2) OF FRACTIONAL SECTION 2, TOWNSHIP 9 SOUTH, RANGE 19 EAST, LESS LAND EAST OF ATLANTIC COAST LINE RAILROAD SOLD TO J.J. HARTLEY, AS PER DEED BOOK 111, PAGE 357, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

LOTS 6, 7, AND THE SOUTH HALF (S 1/2) OF LOT 8, ALSO THAT PART OF THE NORTHEAST QUARTER OF SOUTHEAST QUARTER (NE 1/4 OF SE 1/4) (OR THE NORTH HALF (N 1/2) OF LOT 8) LYING WEST OF THE RIGHT-OF-WAY OF THE ATLANTIC COAST LINE RAILROAD IN SECTION 34, TOWNSHIP 8 SOUTH, RANGE 19 EAST.

ALL OF LOT 1 AND THE EAST HALF (E 1/2) OF LOT 2, OF FRACTIONAL SECTION 3, TOWNSHIP 9 SOUTH, RANGE 19 EAST.

THAT PART OF SECTION 35, SOUTHWEST OF S.F. & W. RR (NOW THE A.C.L. RR) BEING IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 35, TOWNSHIP 8 SOUTH, RANGE 19 EAST, EXCEPT THE RIGHT-OF-WAY OF RAILROAD.

LESS: RIGHT-OF-WAY FOR STATE ROAD, AS PER DEED BOOK 283, PAGE 431.

LESS: RIGHT-OF-WAY FOR RAILROAD.

ALSO:

THAT PART OF SECTIONS 34 AND 35, TOWNSHIP 8 SOUTH, RANGE 19 EAST, AND FRACTIONAL SECTION 2, TOWNSHIP 9 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 22 OF SANS SOUCI, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK "I", PAGE 1 OF THE PUBLIC RECORDS OF SAID ALACHUA COUNTY FOR A POINT OF REFERENCE; THENCE N 87°48'23" E ALONG THE EASTERLY PROLONGATION OF THE NORTH LINE OF SAID SUBDIVISION (SAID NORTH LINE BEING THE BEARING REFERENCE), A DISTANCE OF 630 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE CENTERLINE OF AN EXISTING CREEK FOR THE POINT OF BEGINNING; THENCE CONTINUE N 87°48'23" E ALONG SAID EASTERLY PROLONGATION, A DISTANCE OF 120 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF NORTHWEST 43RD STREET; THENCE N 02°12'37" W ALONG SAID WEST RIGHT OF WAY LINE, DISTANCE OF 806.29 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 390.00 FEET,

SAID POINT ALSO BEING THE SOUTHERLY MOST CORNER OF THE NORTHWEST 43RD STREET RIGHT OF WAY ADDITION; THENCE N 05°12'56" W ALONG THE WESTERLY BOUNDARY OF SAID RIGHT OF WAY ADDITION, A DISTANCE OF 418.36 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 542.37 FEET, A CENTRAL ANGLE OF 26°34'17", AND A CHORD BEARING AND DISTANCE OF N 18°30'05" W, 249.28 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND CONTINUING ALONG SAID WESTERLY BOUNDARY, AN ARC DISTANCE 251.53 FEET; THENCE S 51°25'33" W, A DISTANCE OF 559.40 FEET; THENCE S 19°19'27" E, A DISTANCE OF 160 FEET; THENCE S 30°27'18" E, A DISTANCE OF 116.07 FEET; THENCE S 02°18'51" W, A DISTANCE OF 380.23 FEET; THENCE S 11°02'48" W, A DISTANCE OF 68 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE AFOREMENTIONED CENTERLINE OF THE EXISTING CREEK; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG SAID CENTERLINE, A DISTANCE OF 632 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LESS AND EXCEPT RIGHT-OF-WAY FOR NW 93RD AVENUE.

ALSO LESS AND EXCEPT FROM ABOVE DESCRIBED PARCELS, THE PROPERTY DESCRIBED IN THE FOLLOWING INSTRUMENTS RECORDED IN THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA:

BOOK 154, PAGE 305; BOOK 331, PAGE 205; BOOK 335, PAGE 112; BOOK 363, PAGE 361; BOOK 505, PAGE 396; BOOK 526, PAGE 230; BOOK 578, PAGE 339; BOOK 608, PAGE 206;
BOOK 608, PAGE 45, RE-RECORDED IN BOOK 612, PAGE 71; BOOK 635, PAGE 399; BOOK 638, PAGE 177 (RE-RECORDED IN BOOK 662, PAGE 295); BOOK 665, PAGE 265; BOOK 679, PAGE 373 (CORRECTED IN BOOK 751, PAGE 311); BOOK 756, PAGE 325; BOOK 786, PAGE 351; BOOK 812, PAGE 791; BOOK 817, PAGE 708; BOOK 826, PAGE 816; BOOK 899, PAGE 630; BOOK 1019, PAGE 90; BOOK 1157, PAGE 837 (CORRECTED IN BOOK 1411, PAGE 240); BOOK 1162, PAGE 322; BOOK 1223, PAGE 389; BOOK 1225, PAGE 244; BOOK 1228, PAGE 417; BOOK 1253, PAGE 955; BOOK 1368, PAGE 488; BOOK 1535, PAGE 69; BOOK 1633, PAGE 2786; BOOK 1661, PAGE 1540; BOOK 1661, PAGE 1542; BOOK 1763, PAGE 586; BOOK 1877, PAGE 2599; BOOK 1883, PAGE 2465; BOOK 1890, PAGE 82; BOOK 2033, PAGE 926; BOOK 2033, PAGE 928; BOOK 2091, PAGE 189; BOOK 2171, PAGE 2999; BOOK 2226, PAGE 2872; BOOK 2504, PAGE 271; AND BOOK 2899, PAGE 1097 (CORRECTED IN BOOK 3080, PAGE 498).

TOGETHER WITH:

That part of Government Lot 8 of Section 34, Township 8 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:
Commence at the Southeast corner of Staghorn Unit 1, a subdivision as per plat thereof recorded in Plat Book J, Page 94, of the Public Records of Alachua County, Florida for a point of reference (said point also being the intersection of the North line of said Government Lot 8 with the Westerly right of way line of U.S. Highway No. 441), thence S.38°41'12"E., along said

Westerly right of way line as a bearing reference, a distance of 496.80 feet to the POINT OF BEGINNING; thence continue S.38°41'12"E., along said Westerly right of way line, a distance of 575.00 feet, thence S.79°35'17"W. a distance of 1251.91 feet, thence N.22°22'56"W. a distance of 575.00 feet, thence N.72°52'46"E. a distance of 637.41 feet, thence S.84°45'07"E. a distance of 483.70 feet to the POINT OF BEGINNING.

LESS AND EXCEPT the following 2 parcels:

PARCEL A:

That part of Government Lot 8 in Section 34, Township 8 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at a point marking the intersection of the North line of Government Lot 8 in Section 34, Township 8 South, Range 19 East, Alachua County, Florida, with the Westerly right of way line of U.S. Highway No. 441, said point also being the Southeast corner of Lot 40 of Staghorn Unit 1, as per plat recorded in Plat Book J, Page 94, of the Public Records of Alachua County, Florida, thence S.38°41'12"E., along said Westerly right of way line, a distance of 527.80 feet to the POINT OF BEGINNING; thence continue S.38°41'12"E., along said Westerly right of way line, a distance of 150.00 feet, thence S.67°39'31"W. a distance of 324.20 feet, thence N.22°20'29"W. a distance of 143.94 feet, thence N.67°39'31"E. a distance of 281.98 feet to an intersection with the aforementioned Westerly right of way line and the aforementioned POINT OF BEGINNING.

PARCEL B:

That part of Government Lot 8 in Section 34, Township 8 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at a point marking the intersection of the North line of Government Lot 8 in Section 34, Township 8 South, Range 19 East, Alachua County, Florida, with the Westerly right of way line of U.S. Highway No. 441, said point also being the Southeast corner of Lot 40 of Staghorn Unit 1, as per plat recorded in Plat Book J, Page 94 of the Public Records of Alachua County, Florida, thence S.38°41'12"E., along said Westerly right of way line, a distance of 496.80 feet to the POINT OF BEGINNING; thence S.67°39'31"W. a distance of 273.26 feet, thence N.22°20'29"W. a distance of 142.79 feet, thence S.84°45'07"E. a distance of 308.31 feet to an intersection with the aforementioned Westerly right of way line and the aforementioned POINT OF BEGINNING.



2016 Roll Details — Real Estate Account At 9900 NW US HWY 441

Real Estate Account #05936 001 000

Parcel details

Latest bill

Full bill history

Print this page

2016	2015	2014	2013	...	2002
PAID	PAID	PAID	PAID		PAID

Get Bills by Email

PAID 2016-11-10 \$6,191.61
Receipt #16-0010727

Owner: SCHMIDT, ANN HEIRS
% PATRICIA RICHARD
7305 MYSTIC WAY
PORT ST LUCIE, FL 34986
Situs: 9900 NW US HWY 441

Account number: 05936 001 000
Alternate Key: 1028436
Millage code: 1700
Millage rate: 24.6764

Assessed value: 260,700
School assessed value: 260,700
Unimproved land value: 21,700



Property Appraiser

Location is not guaranteed to be accurate.

2016 Annual bill

View

Ad valorem: \$6,433.12
Non-ad valorem: \$16.47
Total Discountable: 6449.59
No Discount NAVA: 0.00
Total tax:

Legal description

GOVT LOTS 6 7 8 W OF R/W LESS OR 608/45 & 206 LESS PART IN OR 662/295 AND LESS PART OF TRACT DESCRIBED IN OR 1019/90 - LESS COM SW COR OF GOV LOT 6 THE POB E 497.88 FT N 937.31 FT S 52 DEG W 634.91 FT S 559.59 FT TO POB LESS N 54.32 ACRES - LYING W OF US 441 PER OR 1368/488 LESS OR 1633/2785 LESS 3.48 AC TO JULE LYING IN SE COR G L 8 PER OR 1661/1540 LESS - COM SE COR STAGHORN UNIT 1 PB J-94 S 38 DEG E 496.80 FT POB S 38 DEG E 575 FT S 79 DEG W 1251.91 FT N 22 DEG W 575 FT N - 72 DEG E 637.41 FT S 84 DEG E 483.70 FT POB PER OR 1890/0091) (LESS THAT PART KNOWN AS PARCEL C AND PART OF PARCEL B - LYING IN 34-8-19 PER OR 2091/0189) (LESS COM NW COR GOV'T LOT 6 S 318.89 Location

Book, page, item: --
Geo number: 34-08-19-05936001000
Range: 19
Township: 08
Section: 34
Neighborhood: 233300.00
Use code: 06100
Total acres: 86.690





Application Package
Table of Contents

1. Cover Letter
2. Rezoning Application
3. Owner Affidavit
4. Legal Description
5. Deed, Property Appraiser Datasheet, and Tax Record
- 6. Neighborhood Workshop Materials**
7. Justification Report – REVISED 11/2/2017
8. Map Set
9. Response to DRT Comments
10. Proof of Corporate Ownership (Sunbiz)

Mailed Memorandum

MEMORANDUM

To: Neighbors of the NW 13th Street (US-441), west of NW 43rd Street 17-0218
From: Ryan Thompson, AICP, Planning Project Manager
Date: Tuesday, September 12, 2017
RE: Neighborhood Workshop Public Notice

A Neighborhood Workshop will be held to discuss a Rezoning on ±7.4 acres (a portion of Alachua County Tax Parcel 05936-001-000) to change the site's zoning from Agriculture (A) to Commercial, Intensive (CI), which is consistent with adjacent parcels along this segment of US-441. The intent of the Rezoning application is to make the zoning designation consistent with the existing Commercial Future Land Use designation.

The site is located on US-441/NW 13th Street, west of NW 43rd Street in the City of Alachua, FL.

Date: Tuesday, September 26, 2017
Time: 6:00 p.m.
Place: City of Alachua Public Library,
14913 NW 140 Street, Alachua, FL 32615.
Contact: Ryan Thompson, AICP
(352) 331-1976

This is not a public hearing. The purpose of the workshop is to inform the public about the nature of the proposal and seek their comments.

Mailing Labels

JOHNSON, C L TRUSTEE
PO BOX 357133
GAINESVILLE FL 32635

CITY OF GAINESVILLE
PO BOX 490 MS 58
GAINESVILLE FL 32627

HURST, J V & MARCIA
4604 NW 93RD AVE
GAINESVILLE FL 32653-7803

DM ALACHUA INVESTMENTS LLC
PO BOX 171
SUWANNEE FL 32692

ROGALSKI ROY
PO BOX 46
LACROSSE FL 32658-0046

TORO JUAN & RITA
5208 NW 93RD AVE
GAINESVILLE FL 32653

MATILSKY HERBERT TRUSTEE
15505 NW 202ND ST
ALACHUA FL 32615-8041

RASNICK KENNETH M JR & CLAUDIA E
10016 NW 52ND TER
GAINESVILLE FL 32653

SCHMIDT, JULE E TRUSTEE
7305 MYSTIC WAY
PORT ST LUCIE FL 34986

TORO, JUAN & RITA
5208 NW 93RD AVE
GAINESVILLE FL 32653

G L D LLC
1901 NW 67TH PL STE E
GAINESVILLE FL 32653

GASTON WILLIAM G & MARGARET F
9691 NW 53RD DR
GAINESVILLE FL 32653

YESH JANET A LIFE ESTATE
4420 NW 93RD AVE
GAINESVILLE FL 32653

BROCK J OWEN JR & JANDA
10022 NW 52ND TER
GAINESVILLE FL 32653

DM ALACHUA INVESTMENTS LLC
PO BOX 171
SUWANNEE FL 32692

CUMBAA DAVID L & VETA CLEMENTS
4916 NW 93RD AVE
GAINESVILLE FL 32653-7806

HURST J V & MARCIA
4604 NW 93RD AVE
GAINESVILLE FL 32653-7803

HURST & HURST
4604 NW 93RD AVE
GAINESVILLE FL 32653-7803

POPE H D & TEIKO
4622 NW 93RD AVE
GAINESVILLE FL 32653-7803

ROWE MICHAEL A & CARON P
4502 NW 93RD AVE
GAINESVILLE FL 32653

CONNOLLY JAMES B & PAMELA
4412 NW 93RD AVE
GAINESVILLE FL 32653-7801

BEARDSLEY R T & GENE
4416 NW 93RD AVE
GAINESVILLE FL 32653-7801

TORO, JUAN & RITA
5208 NW 93RD AVE
GAINESVILLE FL 32653

GRABLE STEPHEN R
4240 NW 17TH TER
GAINESVILLE FL 32605

SCHMIDT, ANN HEIRS
7305 MYSTIC WAY
PORT ST LUCIE FL 34986

G L D LLC
1901 NW 67TH PL STE E
GAINESVILLE FL 32653

BASALYGA & RAGAN W/H
4820 NW 102ND PL
GAINESVILLE FL 32653

KOCHERT DAVID W & MARGARET J
4928 NW 102ND PL
GAINESVILLE FL 32653-9716

MESA-SAND REALTY LLC
10689 N PENNSYLVANIA ST STE 100
INDIANAPOLIS IN 46280-1099

SCHMIDT, ANN HEIRS
7305 MYSTIC WAY
PORT ST LUCIE FL 34986

**JONES CASEY & NEKIA
5014 NW 102ND PL
GAINESVILLE FL 32653**

**BLAGAY & BRUCE
5219 NW 102ND PL
GAINESVILLE FL 32653**

**FOX & GRIGGS W/H
10028 NW 52ND TER
GAINESVILLE FL 32653**

**CURINGTON JAMES E JR & CHERYL W
10015 NW 52ND TER
GAINESVILLE FL 32653-9707**

**FENNELL CHAKA A
10014 NW 52ND TER
GAINESVILLE FL 32653**

**COBURN JIMMY A & GIULIANA G
5211 NW 102ND PL
GAINESVILLE FL 32653-9703**

**HOUSTON MARK & LORNA M
5107 NW 102ND PL
GAINESVILLE FL 32653**

**BURGER BRYCE A & TRACY A
5001 NW 102ND PL
GAINESVILLE FL 32653**

**BURGER WILLIAM H & CELIA R
10008 NW 50TH TER
GAINESVILLE FL 32653**

**FRAZER THOMAS K & CHARLENE M
10009 NW 50TH TER
GAINESVILLE FL 32653**

**HOPKINS JOHN S & CAROLYN M
10011 NW 50TH TER
GAINESVILLE FL 32653-9715**

**LUPI ROCKY
7860 PROCTOR RD
PAINESVILLE OH 44077**

**G L D LLC
1901 NW 67TH PL STE E
GAINESVILLE FL 32653**

**G L D LLC
1901 NW 67TH PL STE E
GAINESVILLE FL 32653**

**MEYER CONSTANCE L LIFE ESTATE
4720 NW 104TH LN
GAINESVILLE FL 32653-7836**

**MILLER TERRELL R & ADELITA T
4721 NW 104TH LN
GAINESVILLE FL 32653**

**EGGERKING LINDA D TRUSTEE
4713 NW 104TH LN
GAINESVILLE FL 32653**

**FRUGOLI, FRITZ LEE HEIRS
4609 NW 103RD
GAINESVILLE FL 32653**

Antoinette Endelicato
5562 NW 93rd Avenue
Gainesville, FL 32653

Dan Rhine
288 Turkey Creek
Alachua, FL 32615

Tom Gorman
9210 NW 59th Street
Alachua, FL 32653

Richard Gorman
5716 NW 93rd Avenue
Alachua, FL 32653

Peggy Arnold
410 Turkey Creek
Alachua, FL 32615

David Forest
23 Turkey Creek
Alachua, FL 32615

Michele L. Lieberman
Interim County Manager
12 SE 1st Street
Gainesville, FL 32601

President
TCMOA
1000 Turkey Creek
Alachua, FL 32615

Linda Dixon, AICP
Assistant Director Planning
PO Box 115050
Gainesville, FL 32611

Craig Parenteau
FDEP
4801 Camp Ranch Road
Gainesville, FL 32641

Jeannette Hinsdale
PO Box 1156
Alachua, FL 32616

Lynn Coullias
7406 NW 126th Avenue
Alachua, FL 32615

Lynda Coon
7216 NW 126 Avenue
Alachua, FL 32615

Tamara Robbins
PO Box 2317
Alachua, FL 32616

Newspaper Advertisement

IRMA STRIKES

After the storm



A car is damaged by a palm tree on Monday. (ANDREA CORNEJO/STAFF PHOTOGRAPHER)



Grace Berger, 2, plays in the flooded driveway as her mom Jessica watches near their home in the Northwood Pines neighborhood. (BRAD MCLENNY/STAFF PHOTOGRAPHER)



People walk near a fallen power pole and trees in northwest Gainesville. (BRAD MCLENNY/STAFF PHOTOGRAPHER)

Hurricane Irma leaves big mess in Alachua County

The Gainesville Sun Your source... for your community!

PUBLIC NOTICE

A Neighborhood Workshop will be held to discuss a Rezoning application on a 2.4 acre (a portion of Alachua County Tax Parcel 05936 001-000) to rezone the site from Agriculture (A) to Commercial, Intensive (CI). The site's existing Future Land Use is Commercial, and does not require amending. The site is located on US 44/US 90 13th Street, west of NW 43rd Street in the City of Alachua, FL.

This is not a public hearing. The purpose of this workshop is to inform the public about the nature of the proposal and seek their comments.

Time: 6:00pm on Tuesday, September 26, 2017
Location: City of Alachua Public Library, 14913 NW 140 Street, Alachua, FL 32315.
Contact: Ilyan Thompson, AICD
Phone Number: (352) 331-1976

CHW
 PROFESSIONAL CONSULTANTS

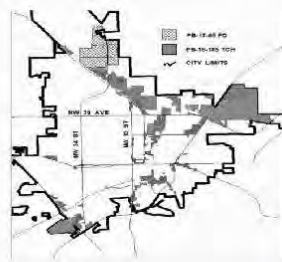


A fallen tree blocks Northwest 39th Avenue in Gainesville. (BRAD MCLENNY/STAFF PHOTOGRAPHER)

HEARING BEFORE City Plan Board September 28, 2017

The Plan Board of the City of Gainesville, FL will consider the following items at a Public Hearing scheduled on Thursday, September 28, 2017 starting at 6:30 P.M. or as soon thereafter as may be heard, in the City Hall Building, 1st floor City Commission Auditorium, located at 200 E. University Avenue, Gainesville, FL.

FOR INFORMATION CALL, 352-334-5022.



Petition No. PB-16-185 TCH
 City Plan Board. Amend the Land Development Code regarding Medical Marijuana Dispensing Facilities by deleting and amending definitions, and by adding Medical Marijuana Dispensing Facilities as a use by right in the Urban 6 (U6) and Urban 7 (U7) transect zoning districts, Automotive-Oriented Business (BA), Tourist-Oriented Business (BT), Business Industrial (BI), Warehousing and Wholesaling (W), and Airport Facility (AF) zoning districts, and as a use allowable by Special Use Permit in the Corporate Park (CP), Limited Industrial (I-1), and General Industrial (I-2) zoning districts.

Petition No. PB-17-65 PD
 edia engineers-surveyors-planners, inc., agent for Weyerhaeuser NR Company. Rezone property from Alachua County Agriculture (A) district to City of Gainesville Planned Development District (PD) to allow for single family residential, multi-family residential, mixed-use development, and conservation management areas. Located east and west of SR 121, north of NW 77th Avenue and south of 122nd Place.

PERSONS NEEDING SPECIAL ACCOMMODATION SHOULD CONTACT THE EQUAL OPPORTUNITY DEPARTMENT AT 352-334-5021 (TDD) 352-334-2069 AT LEAST 48 HOURS PRIOR TO THE MEETING DATE.

A fallen tree blocks a street in a northwest Gainesville neighborhood on Monday. (BRAD MCLENNY/STAFF PHOTOGRAPHER)



Justin Ficus, right, helps his neighbor Matt Glaser clear a tree that fell from his yard into the road in the Rock Creek neighborhood of Gainesville on Monday. (BRAD MCLENNY/STAFF PHOTOGRAPHER)



A crew cleans up a fallen tree near floodwaters from Hogtown Creek that cover Northwest 34th Street, on Monday. (BRAD MCLENNY/STAFF PHOTOGRAPHER)



CROSSWORD

Every day in The Gainesville Sun
 Exercise your mind daily

Workshop Presentation



CHW
Professional Consultants

Meeks
Rezoning Application

Neighborhood Meeting
September 25, 2017

Meeting Purpose



- City of **Alachua** requires **Rezoning applicants** to host a neighborhood meeting.
- The meeting's **purpose is to inform neighbors** of the proposed development's nature **and to get feedback** early in the development process.
- This meeting provides the applicant with an **opportunity to mitigate concerns** prior to the application's submission.

Public Notification

JACKSONVILLE | GAINESVILLE | Ocala
6800 Highway 199, Suite 200, Jacksonville, Florida 32216
100 West 7th Street, Gainesville, Florida 32607
100 West 1st Avenue, Ocala, Florida 32067
www.chw.com

MEMORANDUM

To: Neighbors of the NW 13th Street (US-441), west of NW 43rd Street 17-0218

From: Ryan Thompson, AICP, Planning Project Manager

Date: Tuesday, September 12, 2017

Re: Rezoning application for a portion of US-441

A Neighborhood Workshop will be held to discuss a Rezoning on ±7.4 acres (a portion of Alachua County Tax Parcel 05936-001-000) to change the site's zoning from Agriculture (A) to Commercial, Intensive (CI), which is consistent with adjacent parcels along this segment of US-441. The intent of the Rezoning application is to make the zoning designation consistent with the existing Commercial Future Land Use designation.

The site is located on US-441/NW 13th Street, west of NW 43rd Street in the City of Alachua, FL.

Date: Tuesday, September 26, 2017

Time: 6:00 p.m.

Place: City of Alachua Public Library, 14913 NW 14th Street, Alachua, FL 32615

Contact: Ryan Thompson, AICP
(352) 331-1976

This is not a public hearing. The purpose of the workshop is to inform the public about the nature of the proposal and seek their comments.

Hurricane Irma leaves big mess in Alachua County

HEARING BEFORE Planning Board
Sept. 26, 2017

PUBLIC NOTICE

A Neighborhood Workshop will be held to discuss a Rezoning application on ±7.4 acres (a portion of Alachua County Tax Parcel 05936-001-000) to rezone the site from Agriculture (A) to Commercial, Intensive (CI). The site's existing Future Land Use is Commercial, and does not require amending. The site is located on US-441/NW 13th Street, west of NW 43rd Street in the City of Alachua, FL.

This is not a public hearing. The purpose of this workshop is to inform the public about the nature of the proposal and seek their comments.

Time: 6:00pm on Tuesday, September 26, 2017

Location: City of Alachua Public Library, 14913 NW 14th Street, Alachua, FL 32615.

Contact: Ryan Thompson, AICP
Phone Number: (352) 331-1976

Professional Consultants

planning design.surveying.engineering.construction.
professional consultants


Request & Intent

- **Request:**
 - To **rezone** a ±9.99-acre portion of Alachua County Tax Parcel 05936-001-000 from Agricultural (A) to Commercial Intensive (CI)
- **Intent:**
 - To make the zoning classification consistent with the site's existing, underlying Commercial Future Land Use (FLU).
 - To allow highway-oriented commercial uses to develop at an established commercial node, the US-441 and NW 43rd Street intersection.

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Review Process

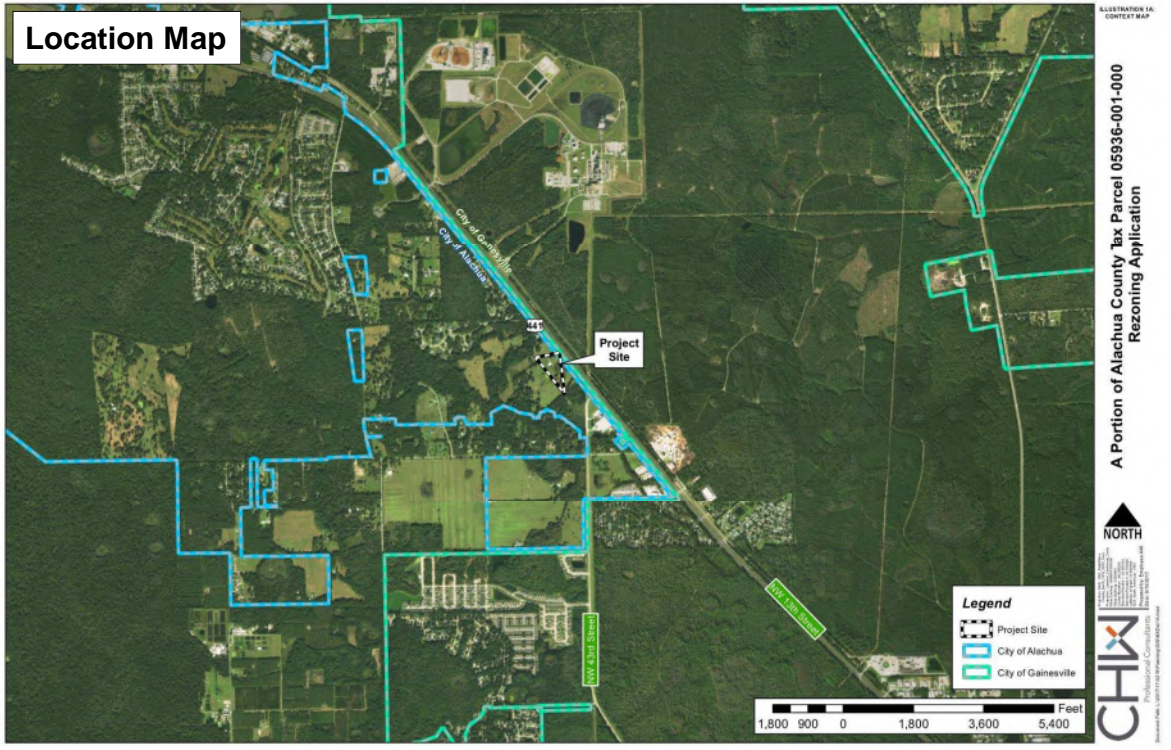


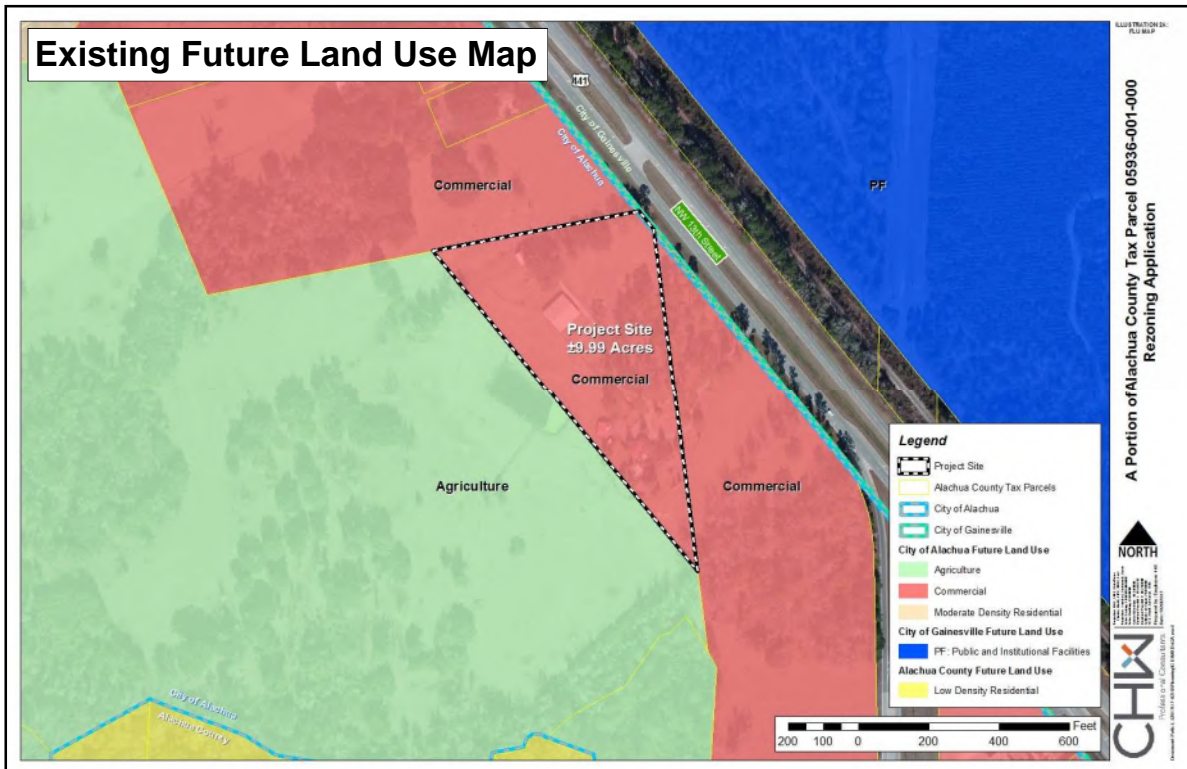
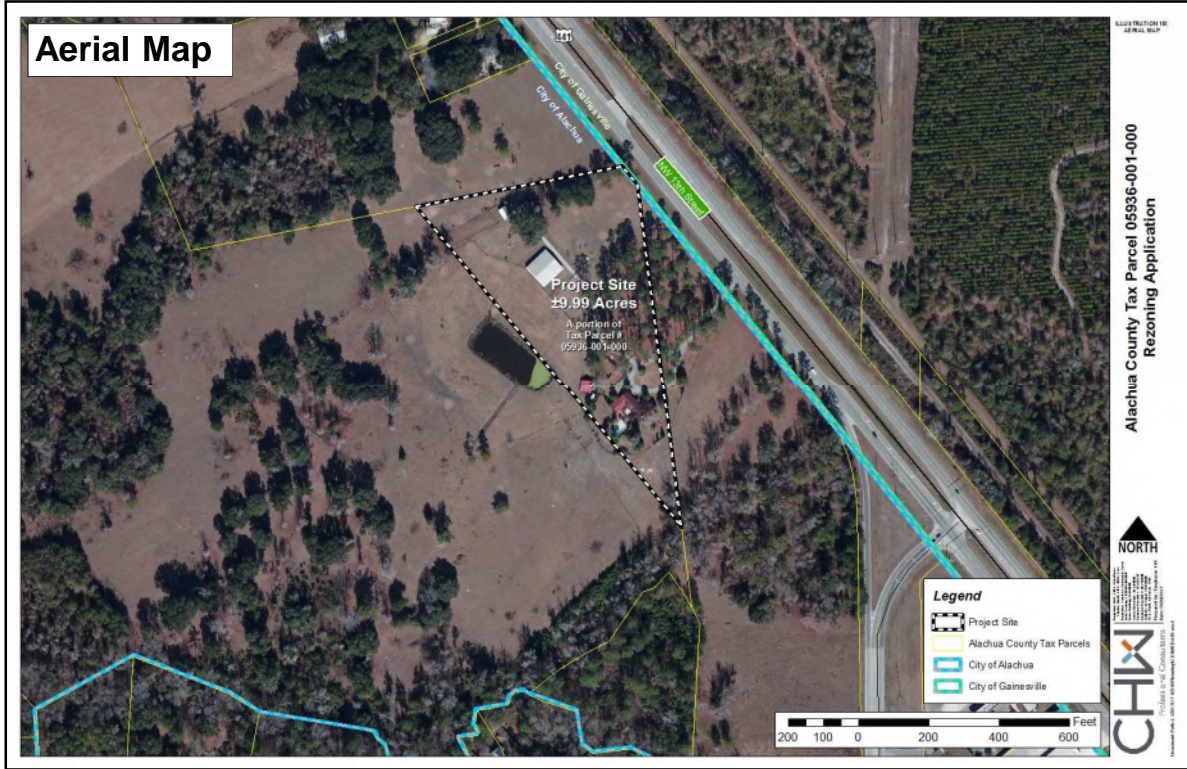
	Neighborhood Meeting	September 26 th
	Submit Rezoning Application	September 28 th
	Staff Review	October/November
	City Planning & Zoning Board Public Hearing	December 12 th
	City Commission Public Hearing	January 8 th (tentative)

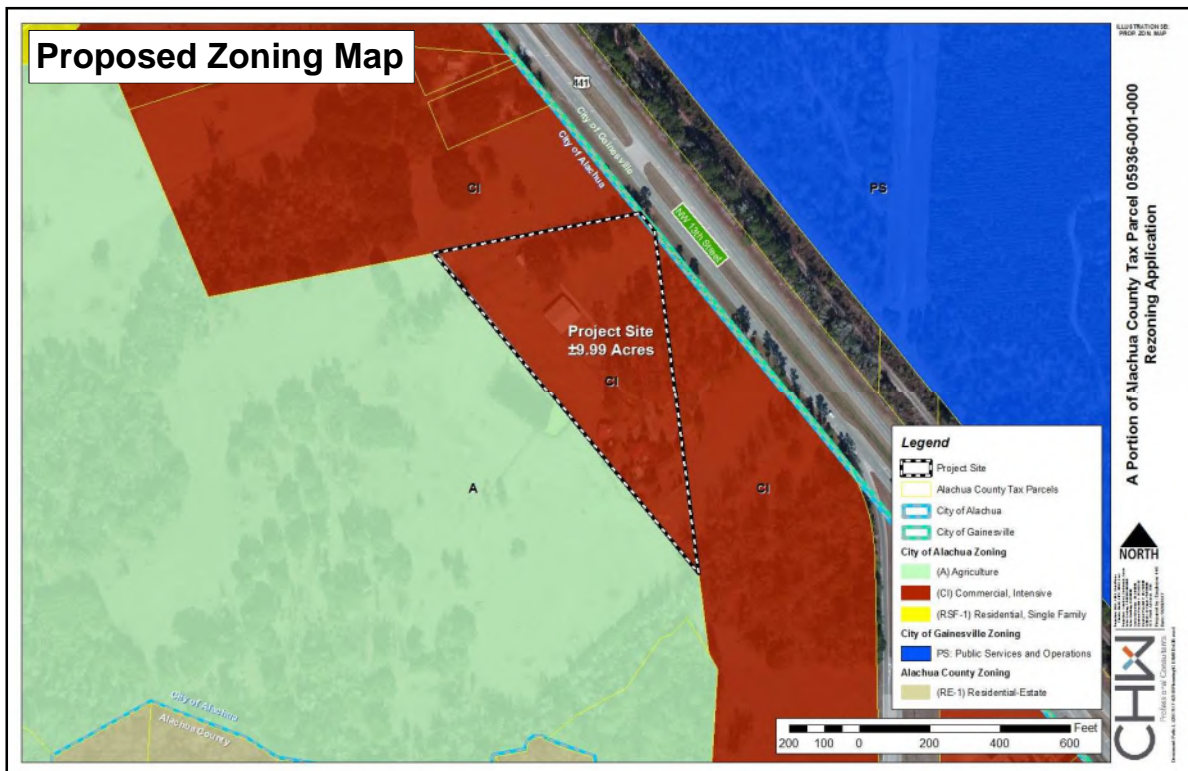
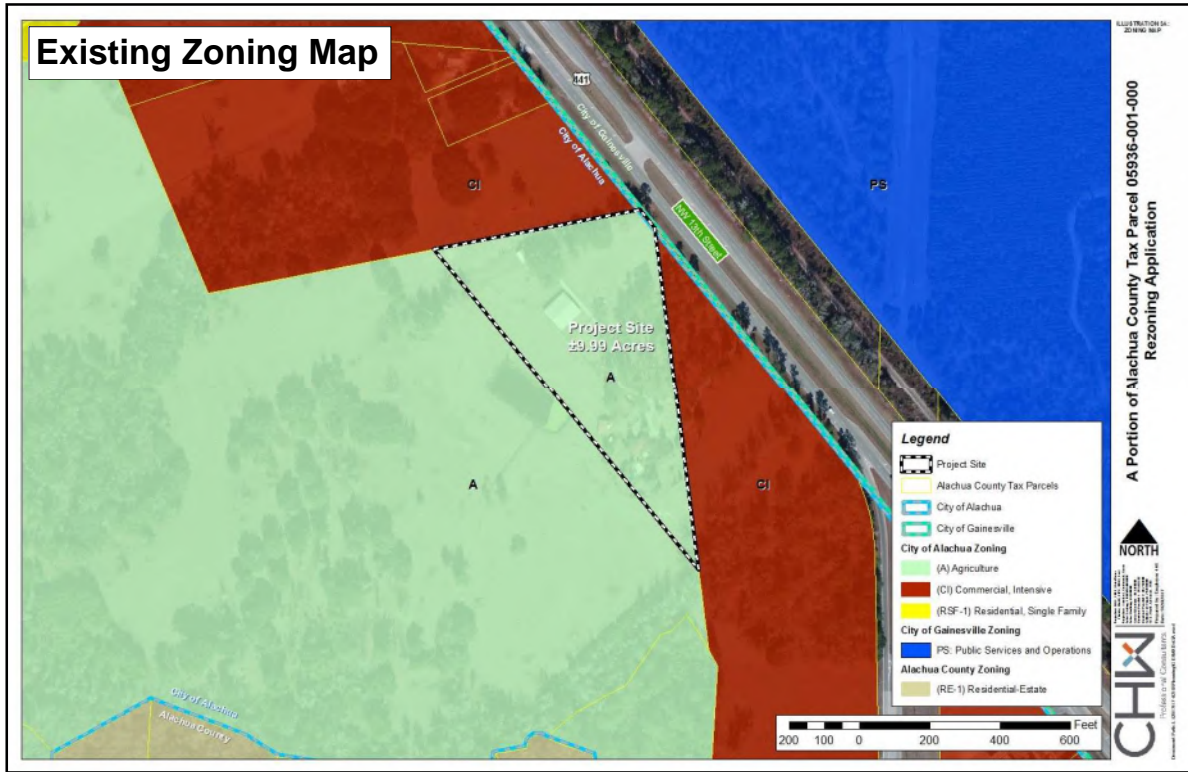
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Location Map







Adjacent Properties



Commercial use,
Immediately *Northwest*



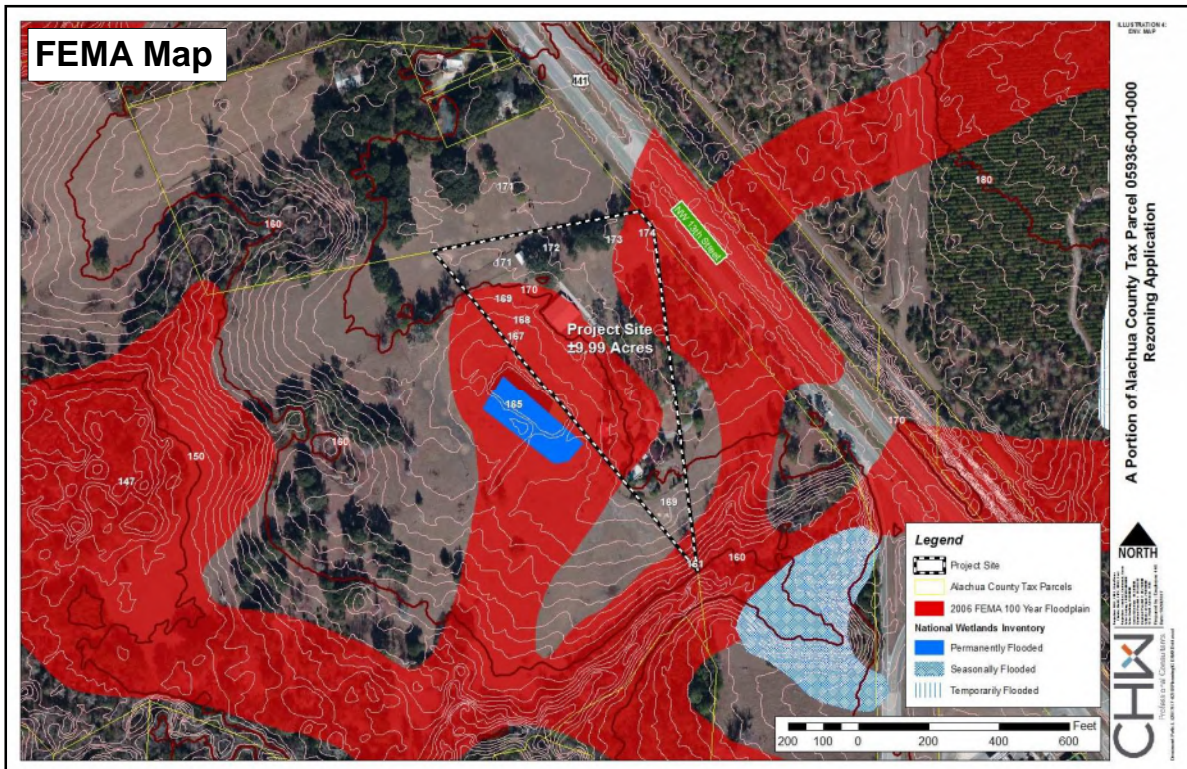
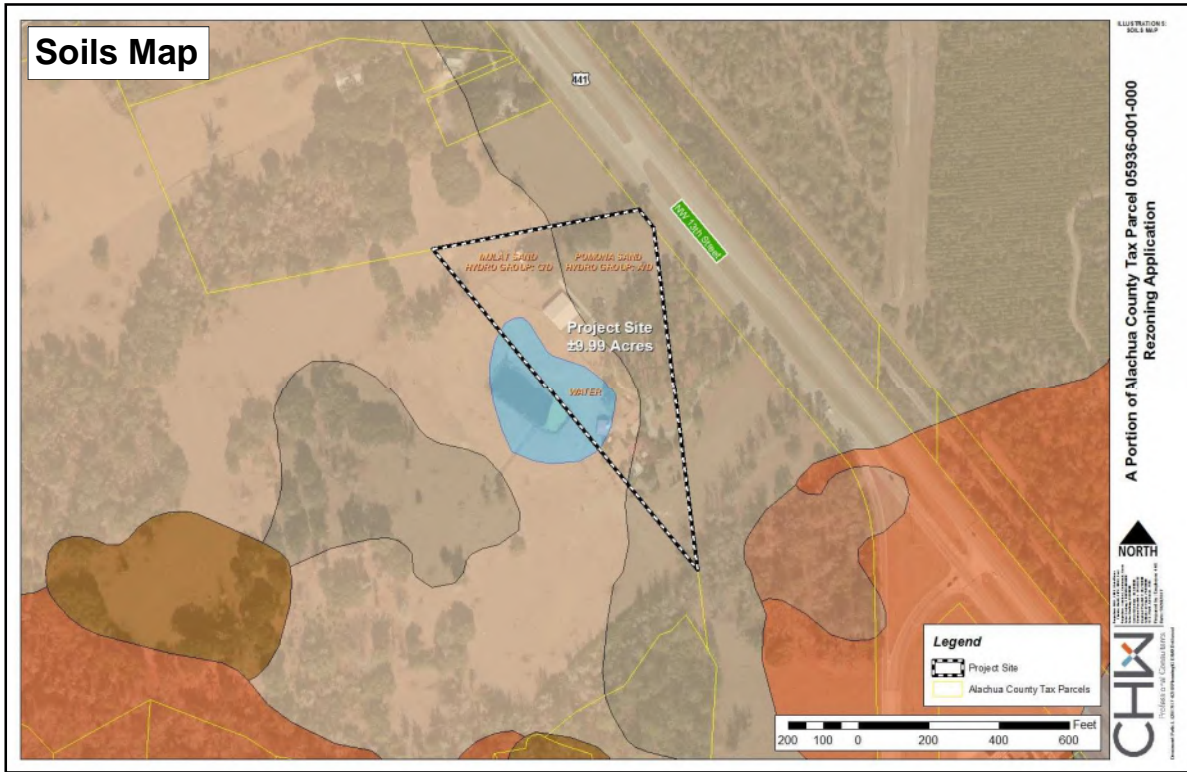
Commercial uses,
Southeast of NW 43rd
Street

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professional consultants





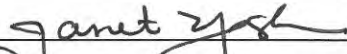

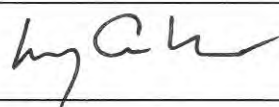
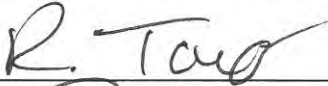


Professional Consultants



Sign-in Sheet

SIGN-IN SHEET

Event: Neighborhood Meeting
 Date/Time: September 26, 2017 at 6:00pm
 Place: City of Alachua Library - 14913 NW 140th St, Alachua, FL 32615
 Re: Meeks Rezoning Application

No.	Print Name	Street Address	Signature
1	Bill Burger	bill1956@gmail.com 10005 NW 50 th Ter	
2	PETE MURPHY	4330 NW 93 rd AVE	
3	JANET YESH	4420 NW 93 AVE	
4	Richard Beardley	4416 NW 93 Ave	
5	Michael Rogan	4800 NW 102 nd Place	
6	Larry & Veta Cumbae	4916 NW 93 rd Ave	
7	Rita Toro	5208 NW 93rd	
8	ARMANDO M. RIVERA	5102 NW 102 PLACE	
9	John Battle	5210 NW 93rd Ave	
10			
11			
12			
13			

Workshop Minutes

NEIGHBORHOOD MEETING MINUTES

Meeks Rezoning

September 26, 2017 at 6:00 PM

Alachua Branch Library

Recorded and transcribed by CHW staff.

CHW Attendees – Nickolas Hill, Land Use Planning Intern; Ryan Thompson, AICP, Project Manager

Community Members in Attendance: Nine (9)

CHW Planning Staff hosted the required Neighborhood Meeting at the Alachua Branch Library (14913 NW 140th St, Alachua, FL 32615). The required presentation contained detailed information pertaining to the purpose of the meeting, the application's request and intent, public notification information, the application's estimated schedule and review process, and various maps illustrating the project site's location and characteristics. During the presentation, CHW Staff also reiterated that a development plan is not being submitted concurrent with this Rezoning application.

CHW staff began the presentation promptly at 6:00pm. Questions and comments were raised throughout the presentation from community members regarding onsite development, the application's potential impact on the community, and the area's existing regulatory context. A summary of the evening's discussion has been recreated and reorganized below for improved readability and comprehension. All questions were fielded by Nickolas Hill (NH), Land Use Planning Intern.

SITE-SPECIFIC QUESTIONS AND COMMENTS

Question/Comment: Am I understanding correctly that this proposal is not for the entire parcel?

Response (NH): Correct. This proposal is for a ±9.99-acre portion of Alachua County Tax Parcel 05936-001-000.

Question/Comment: On the [mailout and Gainesville sun] ad it says ±7.40 acres but your showing here that the site is ±9.99 acres. Can you explain that change?

Response (NH): Absolutely. When we originally sent out the ad, we based onsite acreage on our measurements in GIS—a geographically-referenced mapping software. However, after the ad was published, we obtained the City Ordinance that adopted the land use change and associated boundary survey, which was for ±9.99 acres.

Question/Comment: Who is looking to develop on the site? What is the property going to be?

Response (NH): As previously mentioned, there is no development plan for the project site at this time. As a result, we are not sure what commercial entity will develop onsite. This application is solely to make the onsite zoning classification consistent with the site's existing, underlying Commercial Future Land Use (FLU).

Question/Comment: I was under the impression that this site did not have an underlying Commercial FLU.

Response (NH): As mentioned in the mailout and ad in the Gainesville Sun for the neighborhood meeting, the ±9.99-acre portion of the subject parcel already has Commercial FLU—consistent with our proposal. If you would like, you can verify this information with the city by contacting them or you can look at the site on Alachua County Map Genius.

COMMUNITY-FOCUSED QUESTIONS AND COMMENTS

Question/Comment: Who are the owners of the properties above and below the site?

Response (NH): I am unaware of who currently owns land outside of our project site. We are working on behalf of our client, Mr. Meeks to rezone the subject property. Property ownership information can be found on Alachua County Map Genius or through the County Property Appraiser.

Question/Comment: I guess I am concerned with the lighting and noise pollution this site will have on our neighborhoods.

Response (NH): The City of Alachua has site design standards that ensure that all development projects within the City limit their onsite development's impact on adjacent and nearby properties.

Question/Comment: I am also concerned that this node will attract homeless people.

Response (NH): Unfortunately, I can't attest to if onsite development would attract homeless people to this commercial node.

Question/Comment: What about trash that may result from this property? We have beautiful and natural trees, swamps, and lakes that a lot of wildlife depend on. I am afraid that this [commercial node] will ruin their habitat. I mean, what if people throw trash from their car that they get from whatever development ends up occurring here?

Response (NH): Sadly, we can't ensure that people driving along US-441 won't throw trash out of their windows. I will tell you, however, that the City of Alachua Land Development Regulations have development standards that require certain buffers, setbacks, and site design elements that limit the impact that onsite development may have on adjacent and nearby properties—including water runoff, light pollution and noise.

Question/Comment: I know that the area is prone to flooding when it rains, what are you going to do about that?

Response (NH): The City of Alachua requires all commercial developments to manage stormwater runoff onsite.

Question/Comment: What about wetlands?

Response (NH): After examining the site's natural features in GIS by utilizing the Natural Wetland Inventory's reference data, we concluded that no wetlands were found within the project site.

Question/Comment: Isn't this [application] considered sprawl [development]?

Response (NH): No. We are seeking to limit sprawl and leapfrog development patterns by allowing the opportunity for infill commercial development within an established commercial node.

Question/Comment: I would argue that any development outside of the immediate downtown area is sprawl and we don't want that in this community.

Response (NH): While I can understand why you see it that way, in planning, we see sprawl as an unnecessary extension of land development outside of existing residential or nonresidential activity. This application proposes neither. This application seeks to provide for a commercial infill opportunity within an existing commercial node.

Question/Comment: They want to rezone this land so they can just have one big development all along this portion of US-441.

Response (NH): I am not aware of that intent so I couldn't possibly speak to that bit of speculation. However, I am aware that the property owner has tried to sell the site for several years in its current form without any success. While I can't comment on the owner's intent, rezoning this property to CI does increase the land's permitted intensity and allows for large-scale, highway-oriented uses. The sole focus of tonight's meeting is discussing Rezoning the site to make that possible.

REGULATORY-ORIENTED QUESTIONS AND COMMENTS

Question/Comment: Is the development within the City of Alachua or Alachua County?

Response(NH): The project site is within the City of Alachua as shown on slides six (6) through ten (10) of this presentation.

Question/Comment: Is there anything the County can do stop this development? For example, can the County sue the City if the property floods into the County?

Response (NH): I apologize as I can't speak to legal recourse the County could take against the City if this situation occurs. However, the City requires that stormwater be retained onsite via a stormwater management facility—as I discussed earlier.

Question/Comment: As you said earlier, this application has several things going for it: it has the underlying Commercial FLU, it is surrounded by other CI zoned properties, and it is part of an existing commercial [node]—

Response (NH): —Correct. We believe that this application is a logical path forward for the site.

Question/Comment: Well, if your proposal is air-tight, is there any point in us (as community members), raising our opposition against this application?

Response (NH): Absolutely! An important thing to remember is that the City requires all Rezoning applicants to host a neighborhood meeting and submit the minutes—not because it's a formality, but because the City is interested in how you feel about the development. In addition, neighbors are one of our greatest assets. Your history with the greater area can help provide us and the City with local information that we might not be able to get anywhere else. In addition to voicing your opinion tonight, there will be two public hearings where you can voice your concerns to the City Planning and Zoning Board and the City Commission as shown on slide five (5) of this presentation.

Question/Comment: I want it to be known to the City that I [John Battle] oppose this development. I think approval of this application will greatly diminish the quality of our neighborhood and natural environment within the City of Alachua.

Response (NH): I will make sure to include that in the meeting minutes.

Meeting adjourned at approximately 7:25pm.

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Application Package
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3. Owner Affidavit
4. Legal Description
5. Deed, Property Appraiser Datasheet, and Tax Record
6. Neighborhood Workshop Materials
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8. Map Set
9. Response to DRT Comments
10. Proof of Corporate Ownership (Sunbiz)



MEEKS REZONING

Justification Report

~~September 28, 2017~~

REVISED November 2, 2017

Prepared for:

City of Alachua Office of Planning and Zoning

Prepared on behalf of:

DM Alachua Investments, LLC

Prepared by:

CHW

PN# 17-0218

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1. Executive Summary

To: Kathy Winburn, AICP, City of Alachua Planning & Community Dev. Director
From: Ryan Thompson, AICP, Project Manager
Date: ~~September 28, 2017~~ REVISED November 2, 2017
Re: Meeks Property – Rezoning Application 17-0218

<p><u>Jurisdiction:</u> City of Alachua</p>	<p><u>Intent of Application:</u> Rezone a ±9.99-acre portion of 05936-001-000 from A to CI, consistent with the site's Commercial FLU designation.</p>
<p><u>Description of Location:</u> 9900 NW US-441, Gainesville FL 32653</p>	
<p><u>Parcel Number:</u> A portion of Alachua County Tax Parcel 05936-001-000</p>	<p><u>Acres:</u> ±9.99 acres (ac) <i>(Source: CHW Boundary Survey)</i></p>
<p><u>Existing Future Land Use (FLU) Classification:</u> <i>Commercial</i> The Commercial land use category is established to provide for general commercial uses, as well as more intense commercial and highway commercial uses. This is the land use category in which large-scale, regional commercial uses may locate.</p>	
<p><u>Existing Zoning District:</u> <i>A: Agricultural</i> The A district is established and intended to support agriculture and agricultural uses, ensure residential development consistent with the rural and agricultural character, and remain consistent with the City of Alachua Comprehensive Plan.</p>	<p><u>Proposed Zoning District:</u> <i>CI: Commercial Intensive</i> The CI district is established and intended to provide lands and facilitate highway-oriented development opportunities within the City, for uses that require high public visibility and an accessible location. The CI district should be located along major arterials or highways and at the US 441/Interstate-75 interchange.</p>
<p><u>Existing Max. Permitted Density (A):</u> ±9.99 ac x .20 dwelling units per acre <i>(du/ac) = 1 du total</i></p>	<p><u>Proposed Max. Permitted Intensity (CI):</u> ±9.99 ac x 0.5 Floor Area Ratio (FAR) <i>= 217,582 ft² of nonresidential uses</i></p>
<p><u>Net Change</u> This Rezoning application will permit an increase of 217,582 ft² for nonresidential uses and a net reduction of one (1) dwelling unit for the ±9.99-acre site.</p>	

2. STATEMENT OF PROPOSED CHANGE

This Rezoning application requests to rezone a ±9.99-acre portion of Alachua County Tax Parcel 05936-001-000 from Agriculture (A) to Commercial Intensive (CI). The subject parcel is located southwest of NW 13th Street (US-441), west of the NW 43rd Street and southeast of NW 102nd Place. An aerial is provided as Figure 1 that shows the site's location.

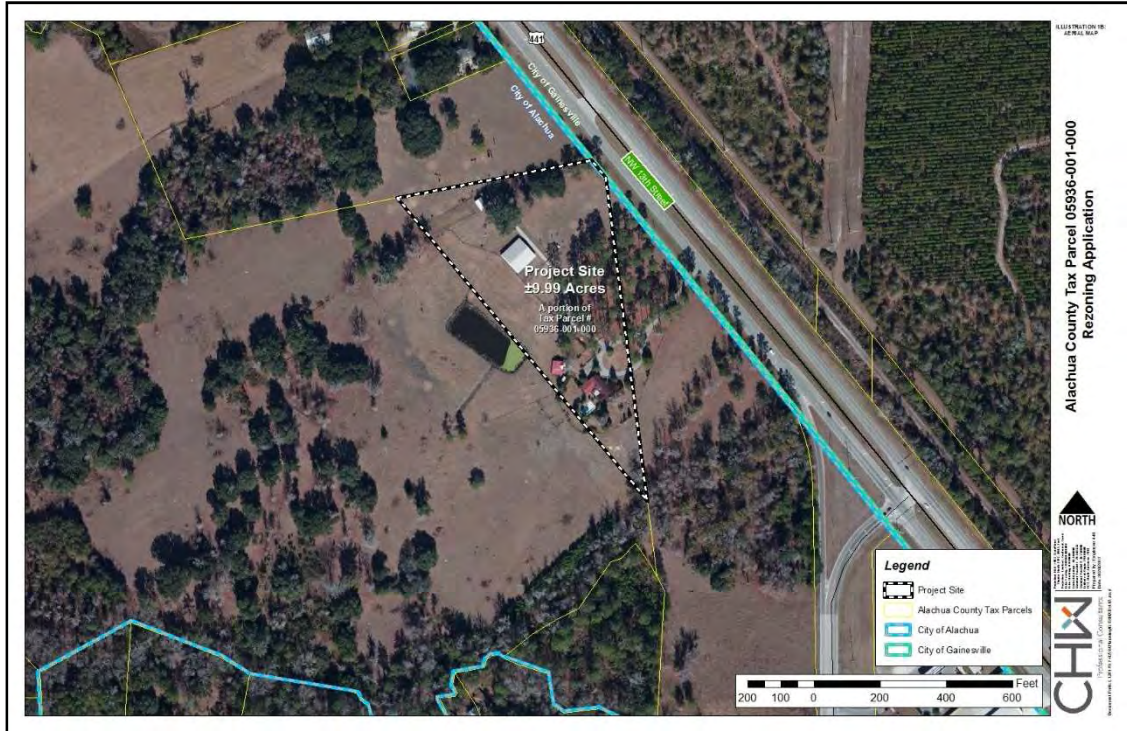


Figure 1: Aerial Map

This submittal does not request a change in the project site's existing Future Land Use (FLU) designation. The intent of the Rezoning application is to render onsite zoning consistent with the underlying Commercial FLU designation. Furthermore, the proposed CI Zoning district is consistent with the adjacent parcels located southwest of US-441 as indicated on Table 1 of this report.

Table 1: Surrounding Future Land Use and Zoning Designations

Direction	Future Land Use Designation	Zoning Designation
North	US-441 R.O.W.; Commercial (City of Alachua); PF: Public and Institutional Facilities (City of Gainesville)	US-441 R.O.W.; CI: Commercial Intensive (City of Alachua); PS: Public Services and Operations (City of Gainesville)
East	Commercial (City of Alachua)	CI (City of Alachua)
South	Agricultural (City of Alachua)	Agriculture (A) (City of Alachua)
West	Agricultural (City of Alachua)	A (City of Alachua)

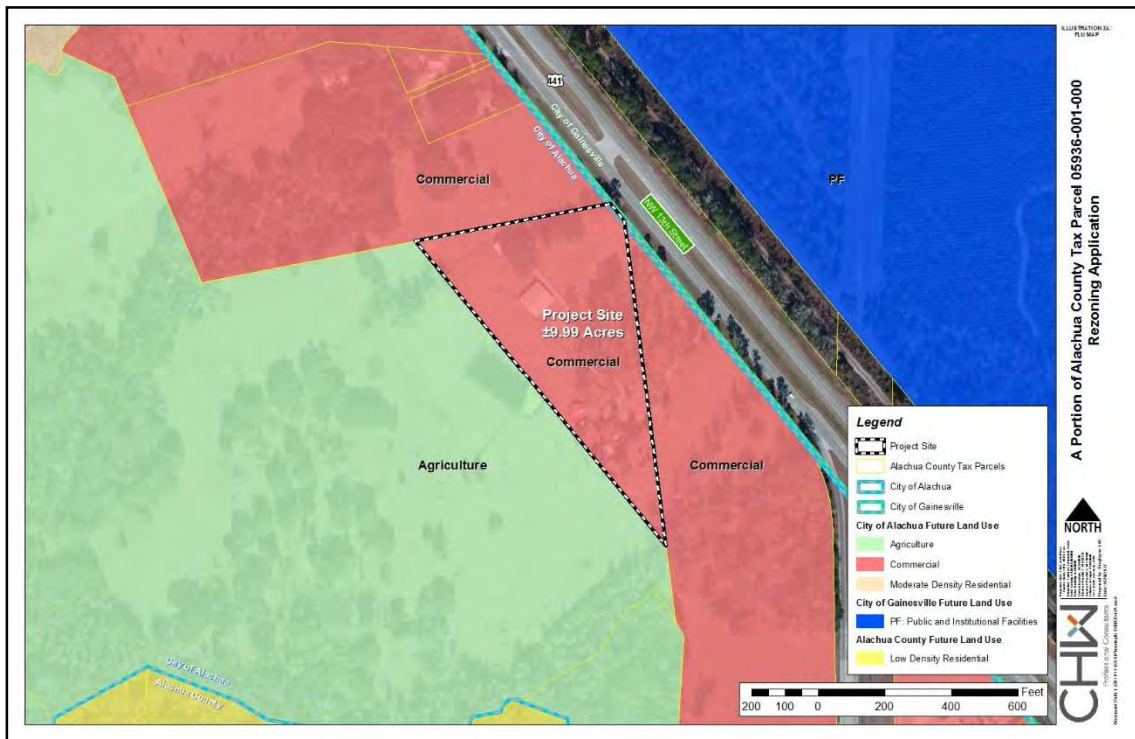


Figure 2: Existing Future Land Use Map

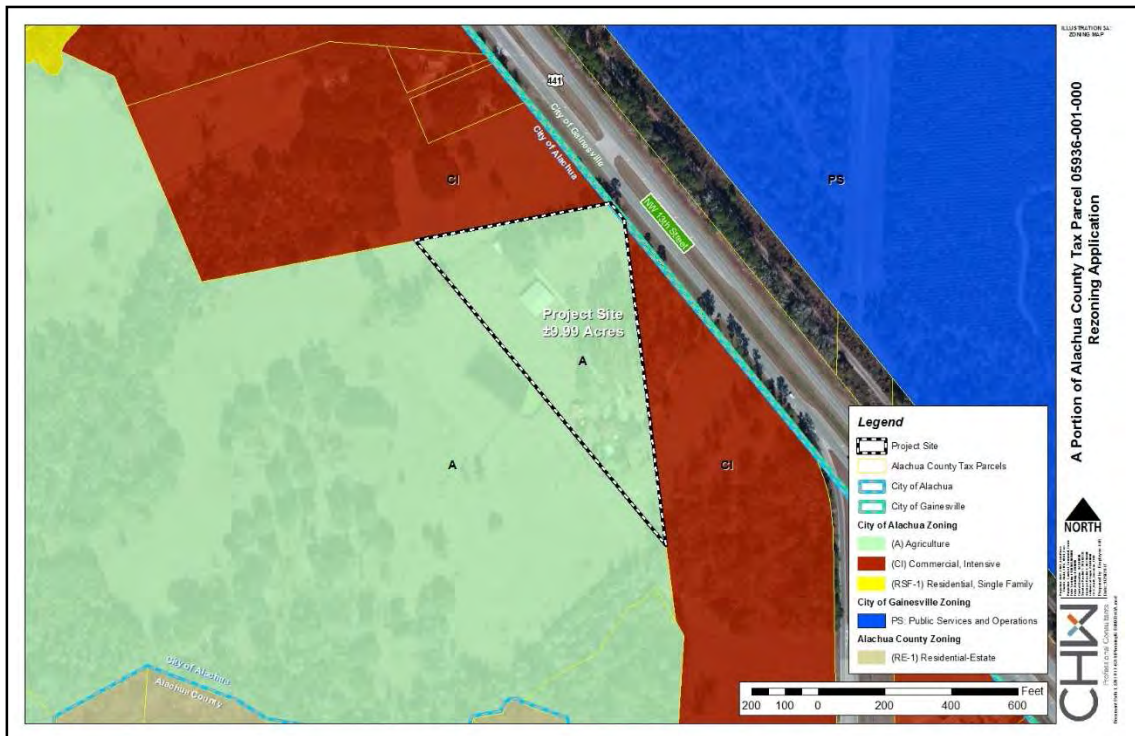


Figure 3: Existing Zoning Map

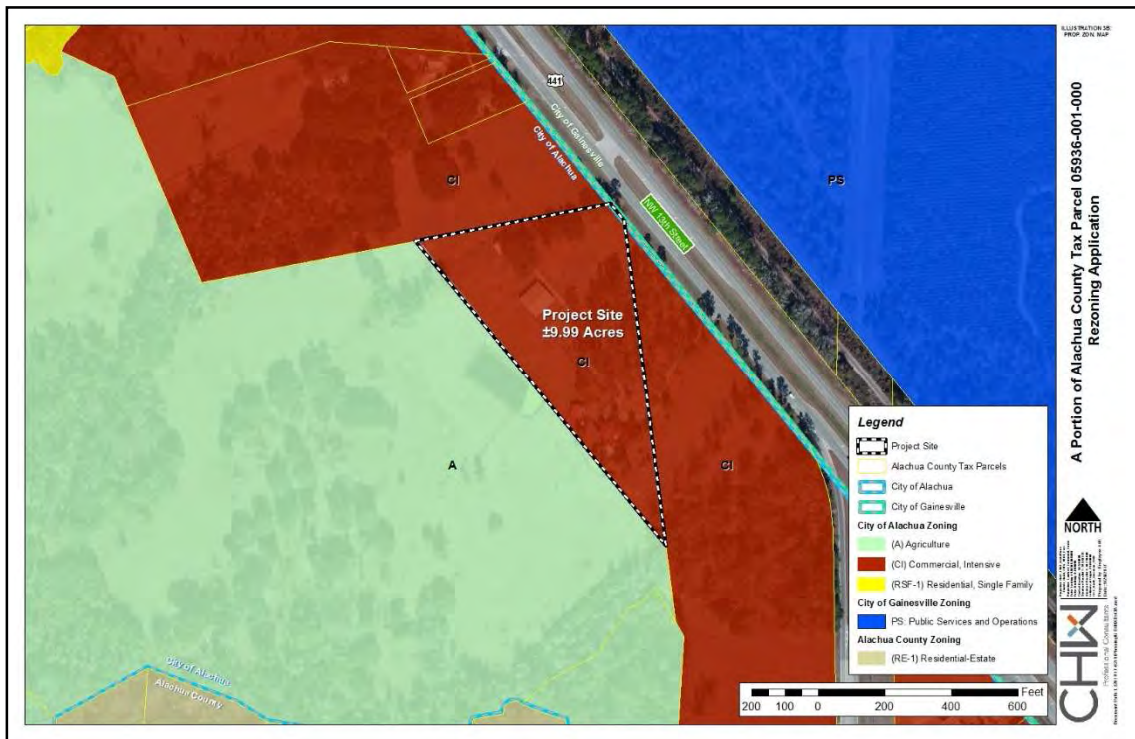


Figure 4: Proposed Zoning Map

The street-level photos shown in Figures 5 & 6 demonstrate the existing commercial development pattern found along this portion of US-441, northwest and southeast of the subject property. Approval of this Rezoning application will allow this ±9.99-acre portion of 05936-001-000 to permit onsite commercial activity consistent with the area’s nonresidential character and underlying Commercial FLU.



Figure 5: Existing Commercial Activity Northwest of the Project Site along US-441



Figure 6: Existing Commercial Activity Southeast of the Project Site along US-441

3. IMPACT ANALYSIS

LEVEL OF SERVICE CONCURRENCY

This Rezoning application requests to change the ±9.99-acre site's existing zoning from A to CI—consistent with the subject parcel's underlying Commercial FLU. This impact analysis is based on the *net difference* between the existing and proposed impacts to transportation and public facility infrastructure. Existing and proposed density/intensity for the project site are as follows:

- Existing: maximum permitted density ('A' Zoning district):
±9.99 acres total x .20 du/ac = **1 du total**
- Proposed: maximum permitted intensity ('CI' Zoning district):
±9.99 acres total x .50 Floor Area Ratio (FAR) = **217,582 ft² of nonresidential uses**

Trip generation figures are based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition. Data for subsequent tables are from the City of Alachua August 2017 Development Monitoring Report, as well as, data obtained within the City Comprehensive Plan and Florida Administrative Code (FAC). Due to the nonresidential nature of this application, the project site is not anticipated to have any impact on the local public school and recreation system.

Roadways / Transportation

Table 2: Projected Net Trip Generation

Land Use ¹ (ITE)	Units	Daily		AM Peak		PM Peak	
		Rate	Trips	Rate	Trips	Rate	Trips
Proposed							
Shopping Center (ITE 820) ^{2,3}	217	42.70	9,291	3.50	762	4.50	979
Existing							
Single-Family Detached Housing (ITE 210)	1	9.57	10	0.75	1	1.01	1
Total	-	-	9,281	-	761	-	978

- Source: ITE Trip Generation 9th Edition
- There are no development plans for the project site being submitted at this time. As a result, ITE category 820 was chosen due to its flexible definition for onsite commercial uses.
- The ITE manual does not have sufficient data for ITE 820 AM and PM Peak trips. Therefore, a realistic projection based on similar ITE uses with a similar Daily trip count was used for this analysis. The two (2) land uses with Daily trip counts similar ITE 820 are Discount Club (ITE 857) (AADT: 41.8, AM: 3.37, PM: 4.63) and Electronics Store (ITE 863) (AADT: 45.04, AM: 3.46, PM: 4.5). The AM and PM Peak figures used for ITE 820 were calculated by averaging the AM and PM Peak figures for the two-similar land uses and rounding to the nearest one-hundredth decimal point.

Conclusion: Approval of this Rezoning application may permit a facility that is estimated to generate an additional **9,281 net daily vehicle trips** to local roadways.

Table 3a: Potential Impacts on Roadways, Segment 7

	AADT	PM
Traffic System Category	Segment 7: U.S. Hwy 441	
	(From MPO boundary to CR 25A)	
Maximum Service Volume ¹	35,500	3,200
Existing Traffic ¹	21,000	1,890
Reserved Trips ¹	5	1
Available Capacity	14,495	1,309
Projected Trip Generation ²	9,281	978
Available Capacity w/ Application approval	5,214	331

1. Source: City of Alachua August 2017 Development Monitoring Report

2. Source: Projected trip distribution percentage is estimated to be **100%** for Segment 7.

Table 3b: Potential Impacts on Roadways, Segment 6

	AADT	PM
Traffic System Category	Segment 6: U.S. Hwy 441	
	(From CR 25A to NW 126 th Ave)	
Maximum Service Volume ¹	35,500	3,200
Existing Traffic ¹	17,295	1,643
Reserved Trips ¹	23	2
Available Capacity	18,182	1,555
Projected Trip Generation ²	4,641	489
Available Capacity w/ Application approval	13,541	1,066

1. Source: City of Alachua August 2017 Development Monitoring Report

2. Source: Projected trip distribution percentage is estimated to be **50%** for Segment 6.

Conclusion: Projected impacts to Segments 6 and 7 may exceed 5% of Maximum Service Volume (MSV), if this site is developed at the proposed zoning district's maximum development potential. However, if developed under this scenario, both FDOT segments will continue to retain sufficient roadway capacity during both AADT and PM Peak. In fact, neither of the affected roadway segments will experience a failing roadway LOS because of this Rezoning application's approval. No other roadway segments are anticipated to receive greater than 5% MSV.

Potable Water / Sanitary Sewer

Table 4: Projected Potable Water Impact

System Category	Gallons Per Day (GPD)
Current Permitted Capacity ¹	2,300,000
Less actual Potable Water Flows ¹	1,301,000
Reserved Capacity ¹	60,524
Residual Capacity ¹	938,476
Percentage of Permitted Design Capacity Utilized ¹	59.20%
Projected Potable Water Demand from Proposed Project ²	21,483
Residual Capacity after Proposed Project	916,993

1. Source: City of Alachua August 2017 Development Monitoring Report

2. Source: City of Alachua Comprehensive Plan & Chapter 64-E, F.A.C. Formula used: (217,582 ft² x 0.1 gal.) - (1 du x 275 gal. per unit)

Conclusion: The potential development given in this report (based on site’s permitted intensity and surrounding uses) would be consistent with the LOS requirements discussed within Comprehensive Plan policy 4.1.c for potable water. The maximum potential development would generate an estimated **21,483 GPD** of potable water demand. As calculated in Table 4, the percentage of the City’s potable water system that may be utilized as a result of this application’s approval does not exceed 85%. In addition, the example development would not negatively impact potable water quality standards of the U.S. Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection.

Table 5: Projected Sanitary Sewer Impact

System Category	Gallons Per Day (GPD)
Treatment Plant Current Permitted Capacity ¹	1,500,000
Less actual Treatment Plant Flows ¹	654,000
Reserved Capacity ¹	57,964
Residual Capacity ¹	788,036
Percentage of Permitted Design Capacity Utilized ¹	47.46%
Projected Sanitary Sewer Demand from Proposed Project ²	21,508
Residual Capacity after Proposed Project	766,528

1. Source: City of Alachua August 2017 Development Monitoring Report
2. Source: City of Alachua Comprehensive Plan & Chapter 64-E, F.A.C. Formula used: $(217,582 \text{ ft}^2 \times 0.1 \text{ gal.}) - (1 \text{ du} \times 250 \text{ gal. per unit})$

Conclusion: The potential development given in this report (based on site’s permitted intensity and surrounding uses) would be consistent with the LOS requirements discussed within Comprehensive Plan policy 4.1.c for sanitary sewer. The maximum potential development would generate an estimated **21,508 GPD** of wastewater demand. As calculated in Table 5, the percentage of the City’s sanitary sewer system that may be utilized as a result of this application’s approval does not exceed 85%. In addition, the example development would not negatively impact potable water quality standards of the U.S. Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection.

Table 6: Projected Solid Waste Impact

System Category	LBs Per Day	Tons Per Year
Existing Demand ¹	39,568.00	7,221.16
Reserved Capacity ¹	5,280.27	963.65
New River Solid Waste Facility Capacity ¹	50 years	
Solid Waste Generated By Proposed Project ²		475

1. Source: City of Alachua May 2017 Development Monitoring Report.
2. Source: Sincero and Sincero; *Environmental Engineering: A Design Approach*. Prentice Hall, New Jersey, 1996. Formula used: $((12 \text{ lbs.} / 1,000 \text{ ft}^2/\text{day} \times 217,582 \text{ ft}^2) \times 365) / 2,000 - (1 \text{ du} \times 2.6 \text{ persons per du} \times .73 \text{ per capita})$

Conclusion: As shown in Table 5, the New River Solid Waste Facility has a 50-year capacity. The maximum potential development would not negatively impact the City’s adopted solid waste LOS as the example development would only generate an estimated **475 tons of solid waste per year**—well below the current capacity.

4. CONSISTENCY WITH CITY OF ALACHUA COMPREHENSIVE PLAN

This section identifies specific City of Alachua Comprehensive Plan Goals, Objectives, and Policies and explains how this Rezoning application is consistent with each. Text from the City of Alachua is provided in normal font while consistency statements are provided in **bold**.

FUTURE LAND USE ELEMENT

Policy 1.3.b: **Commercial:** The Commercial land use category is established to provide for general commercial uses, as well as more intense commercial and highway commercial uses. This is the land use category in which large-scale, regional commercial uses may locate. The following uses are allowed within the Commercial land use category:

1. Retail sales and services;
2. Personal services;
3. Financial Institutions;
4. Outdoor recreation and entertainment;
5. Tourist-related uses;
6. Hotels, motels;
7. Commercial shopping centers;
8. Auto-oriented uses;
9. Traditional Mixed-use Neighborhood Planned Developments;
10. Employment Center Planned Developments;
11. Commercial recreation centers;
12. Office/business parks;
13. Limited industrial services;
14. Eating Establishments

This application seeks to rezone the project site from A to CI—consistent with the subject property’s underlying Commercial FLU designation. Although there is no specific end-user at this time, future development plan(s) will include uses consistent with Policy 1.3.b. of the City of Alachua Comprehensive Plan.

Policy 1.3.e: The creation/promotion of strip pattern commercial development shall be discouraged. Infill within established commercial areas is preferred over extension of a strip commercial pattern. Extension of a commercial land use designation may be considered in circumstances where the proposed commercial parcel is located within a block in which at least fifty percent (50%) of the block face (in linear feet) is either currently developed with commercial land uses or is designated for commercial use. In either case, the proposed commercial land use extension shall not encroach into a residential area. Judging the suitability of a location for an extension of commercial land uses shall be based upon the following minimum criteria:

The ±9.99-acre site is located at an existing commercial node¹ with an underlying Commercial FLU designation. The subject property is underutilized and currently resides between two large (±20-acre) parcels that also contain the Commercial FLU and CI Zoning designations. Approval of this Rezoning application will encourage infill, as well as the potential for a large-scale commercial node, which will reduce the demand for nonresidential uses along the entire US-441 corridor.

1. Impacts upon traffic circulation should be anticipated and mitigated through the reservation of right-of-way for road widening and marginal access streets. Access points for commercial complexes shall seek to minimize points of conflict by utilizing frontage roads, providing cross access between parcels or installing shared use curb cuts for access driveways to the maximum extent feasible.

A development plan for the project site is not being proposed at this time. However, as indicated in Section 3 of this report, the maximum potential development that may result of this application's approval would not cause existing, local roads to experience a failing LOS. In addition to complying Policy 1.3.e.1. of the Comprehensive Plan, future onsite development will also meet the Florida Department of Transportation (FDOT) auxiliary lane requirements for commercial developments of this scale.

2. Setbacks and landscaped or other appropriate buffers shall be established to mitigate the visual impacts of commercial development.

At this time, a specific commercial use for the subject property has yet to be determined. When a development plan for the project site is submitted to the City for review, the plan will be consistent with the setback and buffering standards discussed with the Alachua Comprehensive Plan and Land Development Regulations (LDR).

3. A sidewalk or bicycle path shall be required where appropriate, to provide convenient access to surrounding residents and to reduce traffic volumes on the roadways.

The project site resides along an existing commercial corridor that already possesses a bicycle path along the project site's frontage. This application seeks to permit the opportunity for nonresidential infill within the existing commercial node located at the US-441 and NW 43rd Street intersection. By permitting the potential for commercial infill development, this application will assist the City in promoting alternative modes of transportation between similar uses.

¹ A commercial node is typically the intersection of two major roadways that is characterized by commercial development at each of its corners. The term 'node' applies to the US-441/NW 43rd Street intersection since both are major roadways, "a primary junction," and the primary development is commercial: a fueling station, other automobile-related uses, and self-storage.

Kevin Lynch (1979) speaks extensively on 'nodes' and their role as a key City element in the seminal urban planning text, The Image of the City, in which he defines it as "the strategic spots in a city into which an observer can enter ... they may be primarily junctions, places of a break in transportation, a crossing or convergence of paths, moments of shift from one structure to another. Or the nodes may be simply concentrations... a street-corner hangout or an enclosed square." (p. 47). The US-441/NW 43rd Street intersection serves as a 'junction,' while the 'observer,' in this instance, is entering the City of Gainesville via automobile, from US-441 to NW 43rd Street, or into the City of Alachua from the reverse direction.

GOAL 4: Infill and Redevelopment Standards: The City of Alachua shall encourage new development and redevelopment to occur within developed areas, such as the Community Redevelopment Area and the Central City Area, to utilize vacant and abandoned properties, prevent blight, and make the best use of available resources.

The subject property resides within an area possessing existing commercial developments. These structures can be found immediately adjacent to the project site to the northwest and less than a quarter mile the southeast. However, the subject development is currently underutilized—possessing passive agriculture and single family uses along a major arterial corridor. Thus, this application seeks to increase onsite development potential by requesting a commercial zoning designation consistent with site’s underlying Commercial FLU designation and the area’s existing nonresidential presence found along this section of US-441.

Objective 4.1: Infill development shall be encouraged in order to protect the unique character of existing neighborhoods and commercial developments, provide for a safe urban environment, increase densities and intensities in a manner compatible with existing uses, provide open spaces, and restore or maintain economic vitality and cultural diversity.

This application seeks to remain uniform with Objective 4.1 by rezoning the subject property to CI, which is consistent with the site’s existing Commercial FLU. The request is to permit uses compatible and consistent with existing uses at this commercial node. Approval of this rezoning application will encourage infill commercial development at an existing commercial node, thereby reducing pressure to extent commercial uses along the entire US-441 corridor.

Policy 4.1.b: The City shall establish flexible standards related to landscaping, buffering, stormwater (to the extent allowable), and parking requirements to encourage infill development.

There are no specific development plans for the site at this time. Future development plans shall meet City of Alachua Comprehensive Plan and LDC standards to the maximum extent practicable. If a standard cannot be met, the developer will meet with City Staff to discuss alternative options for onsite infill development.

CONSERVATION AND OPEN SPACE ELEMENT

OBJECTIVE 1.5: Soils

The City shall protect soil resources through erosion and sedimentation control, by requiring proper design criteria on specific soils.

There are currently two types of soils located onsite—Mulat Sand (Hydro Group: C/D) and Pomona Sand (Hydro Group: A/D). According to the NRCS soil database, both Mulat and Pomona Sand have significant limitations for urban development. Therefore, site design will address these soil composition limitations with properly-designed drainage and stormwater management facilities.

OBJECTIVE 1.10: Wetlands

The City shall protect and preserve wetland values and functions from adverse, human caused, physical and hydrologic disturbances.

The ±9.99-acre subject property does not contain onsite wetland features, as evidenced by the best available desktop data and analysis. Although, a potential wetland is located within 100 feet of the subject property, on the remaining portion of 05936-001-000.

During site plan preparation, a professional environmental scientist shall review the site and determine the significance of natural features, as required by City LDR. Significant onsite natural features shall be avoided to the maximum extent practicable or mitigated consistent with City LDR requirements.

5. CONSISTENCY WITH THE LAND DEVELOPMENT REGULATIONS

The following identifies how this application is consistent with the City of Alachua's LDR. Language from the LDC is provided in normal font, and the consistency statements are provided in **bold** font.

2.4.2. Site specific amendments to Official Zoning Atlas

- (E) Standards for site-specific amendments to the Official Zoning Atlas. The advisability of making a site-specific amendment to the Official Zoning Atlas is a matter subject to quasi-judicial review by the City Commission and constitutes the implementation of the general land use policies established in these LDRs and the Comprehensive Plan. In determining whether to approve a proposed site-specific amendment to the Official Zoning Atlas, the City Commission shall find that:
- (1) Competent substantial evidence provided. The applicant has provided competent substantial evidence that is made part of the record of the hearing that:
 - (a) *Consistent with Comprehensive Plan.* The proposed amendment is consistent with and furthers the goals, objectives and policies of the Comprehensive Plan.

As demonstrated in Section 4 of this report, this application's intent is compatible with all appropriate goals, objectives, and policies found within the City of Alachua Comprehensive Plan. In addition, the proposed Rezoning to the CI district is compatible with the site's existing Commercial FLU designation.

- (b) *Consistent with ordinances.* The proposed amendment is not in conflict with any portion of these LDRs or any of the City Code of Ordinances.

Section 5 of this report illustrates how this application is consistent with all relevant sections of the City LDR and Code of Ordinances. Items that are applicable to this proposal have been addressed diligently in the following pages to ensure that the proposed Rezoning is consistent with the standards discussed within both City of Alachua documents.

- (c) *Logical development pattern.* The proposed amendment would result in a logical and orderly development pattern.

The ±9.99-acre site is located within an existing commercial node positioned at the US-441 and NW 43rd Street intersection. The subject property is underutilized and currently resides between nonresidential uses to the northwest and southeast of the project site. Thus, this application seeks to mitigate the existing leapfrog development pattern found within this commercial node by appropriately rezoning the site for potential commercial infill development.

- (d) *Premature development.* The proposed amendment will not create premature development in undeveloped or rural areas.

This application does not propose the opportunity for onsite premature development. This amendment seeks to permit the availability for nonresidential infill development within an existing commercial node.

- (e) *Incompatible with adjacent lands.* The uses permitted by the proposed amendment are not incompatible with existing land uses of adjacent lands and/or the uses permitted by the zone district classifications of adjacent lands.

This project site possesses an underlying Commercial FLU designation, consistent with adjacent properties located both northwest and southeast to the site. The adjacent parcels also have the CI zoning, which is consistent with this application's request. In addition, the site is located within an existing commercial node, the US-411 and NW 43rd Street intersection.

In addition to being compatible with adjacent properties that share Commercial Intensive Zoning District designations, this Rezoning application is also compatible with Agricultural-zoned, adjacent properties. The portion of tax parcel 05936-001-000 that is not being rezoned will remain in the Agricultural Zoning District. Currently, the site is being used for pasture and possibly timber, which are considered passive agricultural operations, as opposed to active operations that require heavy equipment for planting, fertilizing, irrigating, and harvesting. The remaining portion may continue to be used for pasture/timber land, which will have little or no impact on the subject property, if developed with commercial uses.

There are numerous examples of commercial uses adjacent to agricultural operations along the US-441 corridor and elsewhere within the City of Alachua. The City Comprehensive Plan and Land Development Code, as well as other local, regional (Water Management District) and state review agencies are required to review and approve any applicable permit applications for onsite development. These regulations restrict onsite stormwater runoff, light, noise, etc. associated with development from impacting adjacent properties. Notably, the City does not require perimeter buffers between Commercial and Agricultural uses, per LDR Table 6.2-2, which indicates that there is no perceived issue with these uses being located adjacent to each other.

- (f) *Adverse effect on local character.* The proposed amendment will not adversely affect the character of the general area where it is proposed to be located by creating excessive traffic, density and/or intensities of use, building height and bulk, noise, lights or other physical effects or nuisances.

Other properties within this commercial node share the site's existing Commercial FLU designation and the requested CI Zoning. By approving this application, the City will allow the subject property to remain consistent with adjacent and nearby commercial uses—beholden to the same development standards regulating nonresidential activity to the northwest and the southeast.

- (g) *Not deviate from pattern of development.* The uses permitted by the proposed amendment will not deviate from the development pattern (both established and as proposed by surrounding zone districts) of the area where the proposed amendment is located.

The site is located at an existing commercial node. Approval of this application to change the project site's existing zoning to CI will allow the development of similar uses within this node.

- (h) *Encourage sprawl.* The proposed amendment will not encourage urban sprawl, either by resulting in strip or ribbon commercial development, leap-frog development or low-density single dimensional development.

This underutilized project site currently resides between two areas zoned for intense, nonresidential development. Approval of this application will assist the City in limiting local sprawl by permitting commercial infill opportunities for the project site at an existing commercial node.

- (i) *Spot zoning.* The proposed amendment will not result in the creation of an isolated zone district unrelated to adjacent and surrounding zone districts (spot zoning).

The proposed zoning district is consistent with the adjacent CI parcels to the northwest and southeast of project site along US-441. The remaining portion of 05936-001-000 that is not being rezoned will continue to be zoned for agricultural uses—consistent with adjacent properties to the west.

- (j) *Public facilities.* The proposed amendment will not result in development in a location where there are no plans by the City or other governmental entities to provide public facilities to serve the development (roads, potable water, wastewater, parks, stormwater management, and solid wastes), and there are no assurances by the private sector that public facilities are planned and will be available to adequately accommodate development.

The site is located near commercial uses that are currently being serviced by City of Alachua potable water and sanitary sewer systems. Future commercial development locating within the project site will likely connect to the same utility system.

- (k) *No adverse effect on the environment.* The proposed amendment would not result in significantly adverse impacts on the natural environment, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

According to the most updated National Wetlands Inventory (NWI) data and aerial observations, the ±9.99-acre site does not possess any onsite wetland features. However, the remaining portion of 05936-001-000 possesses multiple wetlands, including one, apparently-manmade feature adjacent to the site's southwest boundary. Onsite development will not impact this water feature, nor will the feature impact onsite development.

The site does contain ±3.85 acres of FEMA floodplains. Thus, future site plans for the subject property will incorporate a stormwater management facility(ies) that compensates for the existing floodplain volume of water, in addition to what is required to retain/detain stormwater resulting from onsite development.

During site plan preparation, a professional environmental scientist shall review the site and determine the significance of natural features, as required by City LDR. Significant onsite natural features shall be avoided to the maximum extent practicable or mitigated consistent with City LDR requirements.

Sec. 3.5. – Business Districts

3.5.1. *General purposes.* The business zone districts are established for the general purpose of ensuring there are lands in the City that provide a wide range of office, retail, service, light industrial and related uses to meet household and business needs, and more specifically:

- (A) *Provide appropriately located lands for business uses consistent with Comprehensive Plan.* Provide appropriately located lands in areas served by water and sewer for the full range of business uses needed by Alachua's residents, businesses, and workers, consistent with the goals, objectives, and policies of the Comprehensive Plan;

As demonstrated in the Section 4 of this report, the proposed CI district is consistent with all relevant goals, objectives, and policies discussed within the City of Alachua Comprehensive Plan. The site currently possesses a Commercial FLU designation—consistent with the CI Zoning requested by this application. In addition, the site is located adjacent to commercial uses with identical zoning designations that are currently being serviced by potable water and sanitary sewer systems that will support the project site's future development.

- (B) *Strengthen economic base.* Strengthen the City's economic base, and provide employment opportunities close to home for residents of the City and surrounding communities

The subject property is situated within an existing commercial node located at US-441 and NW 43rd Street. Although this node is partially developed, approval of this Rezoning application will further allow the commercial node to strengthen the local economic base by permitting the opportunity for commercial infill development. Future nonresidential uses for the site may provide local employment opportunities, increased choices for goods and services, and attract additional commercial investment at the US-441 and NW 43rd Street intersection.

- (C) *Provide suitable environment for business uses.* Create suitable environments for various types of business uses, and protect them from the adverse effects of incompatible uses; and

The site is located at an existing commercial node. The site is underutilized and currently resides between nonresidential uses to the northwest and southeast of the development. Thus, this application seeks to allow commercial uses within the subject property—thereby linking the nonresidential uses to the northwest and those found at the US-441 / NW 43rd Street intersection. Application approval will

assist the City in ensuring that this developing commercial node remains a suitable environment for businesses to thrive for years to come.

- (D) *Minimize impact of business development on residential districts and uses.* Minimize the impact of business development on residential districts and uses.

This project site is not located adjacent to any residential districts. However, the site is currently abutting two CI Zoning districts—consistent with this Rezoning proposal. Clustering nonresidential uses will allow the City to minimize the impact of commercial activities on residential districts by further defining the existing commercial node in relation to nearby residential properties.

Sec. 3.5.2 Business district specific purposes

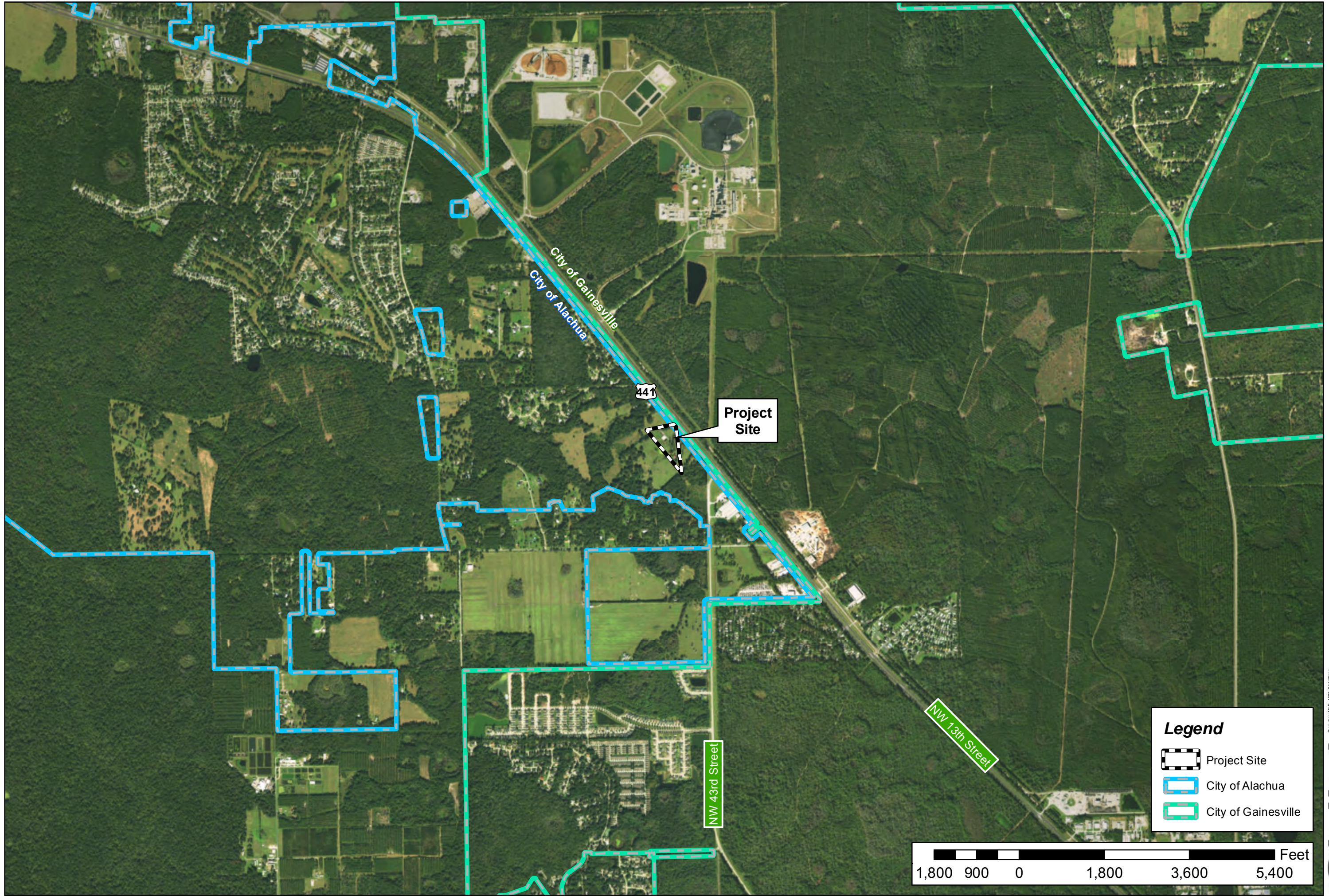
- (E) *Commercial Intensive District.* The CI District is established and intended to provide lands and facilitate highway-oriented development opportunities within the City, for uses that require high public visibility and an accessible location. The CI district should be located along major arterials or highways and at the US 441/Interstate-75 interchange.

The proposed ±9.99-acre project site is centrally located within an existing commercial node at the intersection US-441 (a major U.S highway) and NW 43rd Street (an arterial roadway). This node would greatly benefit from this Rezoning application's approval since the site is the missing link in what would be a larger hub of commercial activity. This application seeks to increase the nodes permitted intensity, diversify local commercial activity, and serve the daily needs of nearby communities.

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- 8. Map Set**
9. Response to DRT Comments
10. Proof of Corporate Ownership (Sunbiz)

A Portion of Alachua County Tax Parcel 05936-001-000
Rezoning Application



Project Site




City of Gainesville
City of Alachua

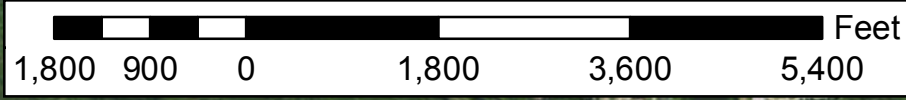
441

NW 13th Street

NW 43rd Street

Legend

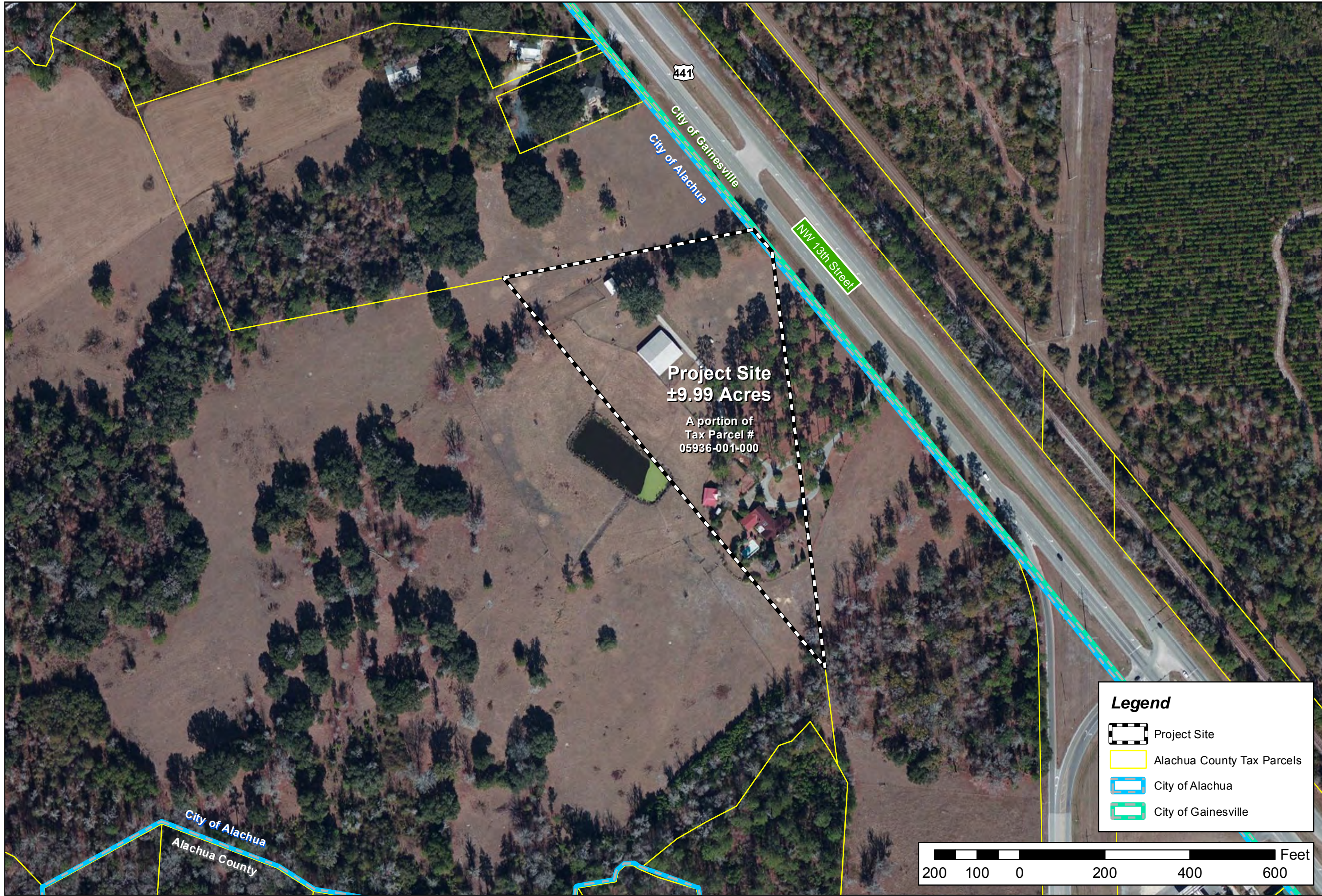
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-  City of Alachua
-  City of Gainesville



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Prepared by: Employee 446
Date: 9/19/2017







A Portion of Alachua County Tax Parcel 05936-001-000 Rezoning Application

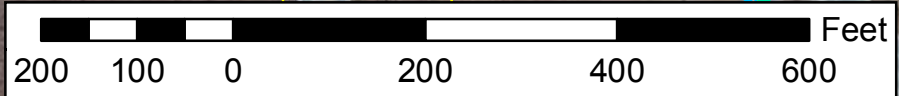


Project Site
±9.99 Acres

A portion of
Tax Parcel #
05936-001-000

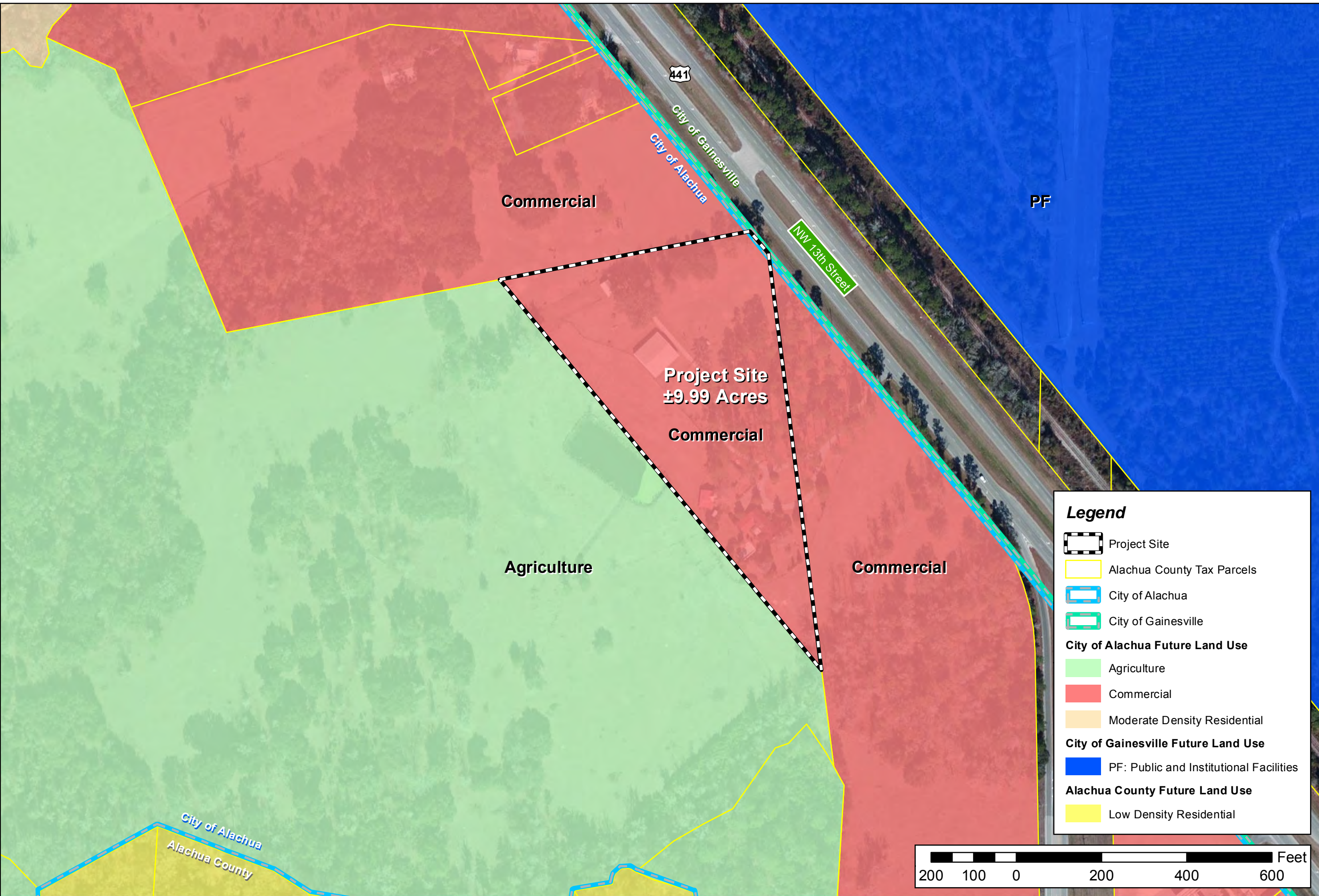
Legend

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



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 GCS: North_America_1983
 Prepared by: Employee 446
 Date: 9/26/2017

A Portion of Alachua County Tax Parcel 059336-001-000
Rezoning Application



Legend

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

City of Alachua Future Land Use

- Agriculture
- Commercial
- Moderate Density Residential

City of Gainesville Future Land Use

- PF: Public and Institutional Facilities

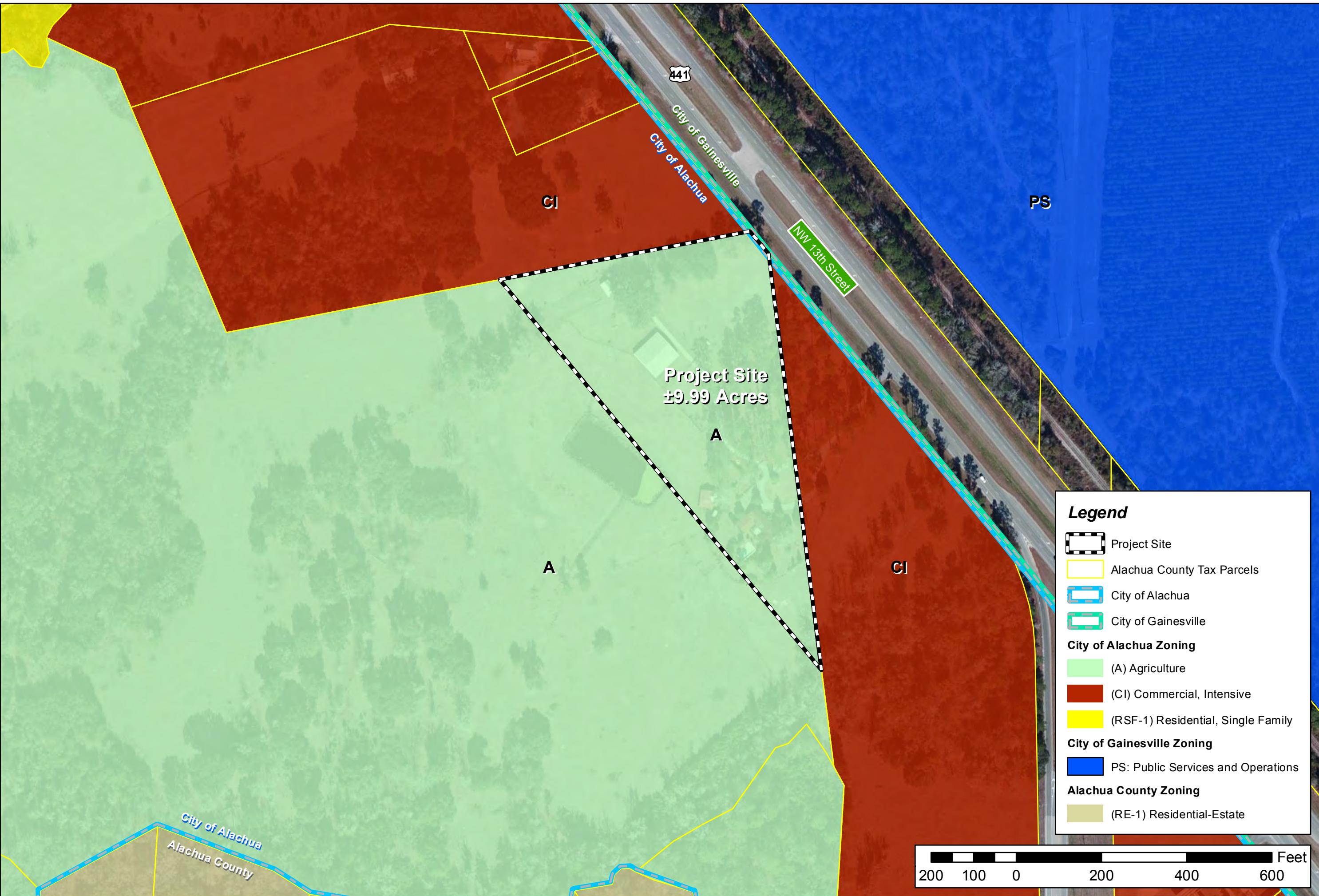
Alachua County Future Land Use

- Low Density Residential



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Scale Factor: 1.00000000
Datum: North American 1983
Prepared by: Employee 446
Date: 9/26/2017

A Portion of Alachua County Tax Parcel 059336-001-000
Rezoning Application



Legend

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

City of Alachua Zoning

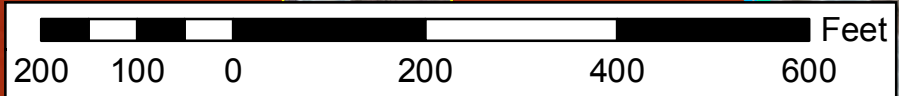
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- (CI) Commercial, Intensive
- (RSF-1) Residential, Single Family

City of Gainesville Zoning

- PS: Public Services and Operations

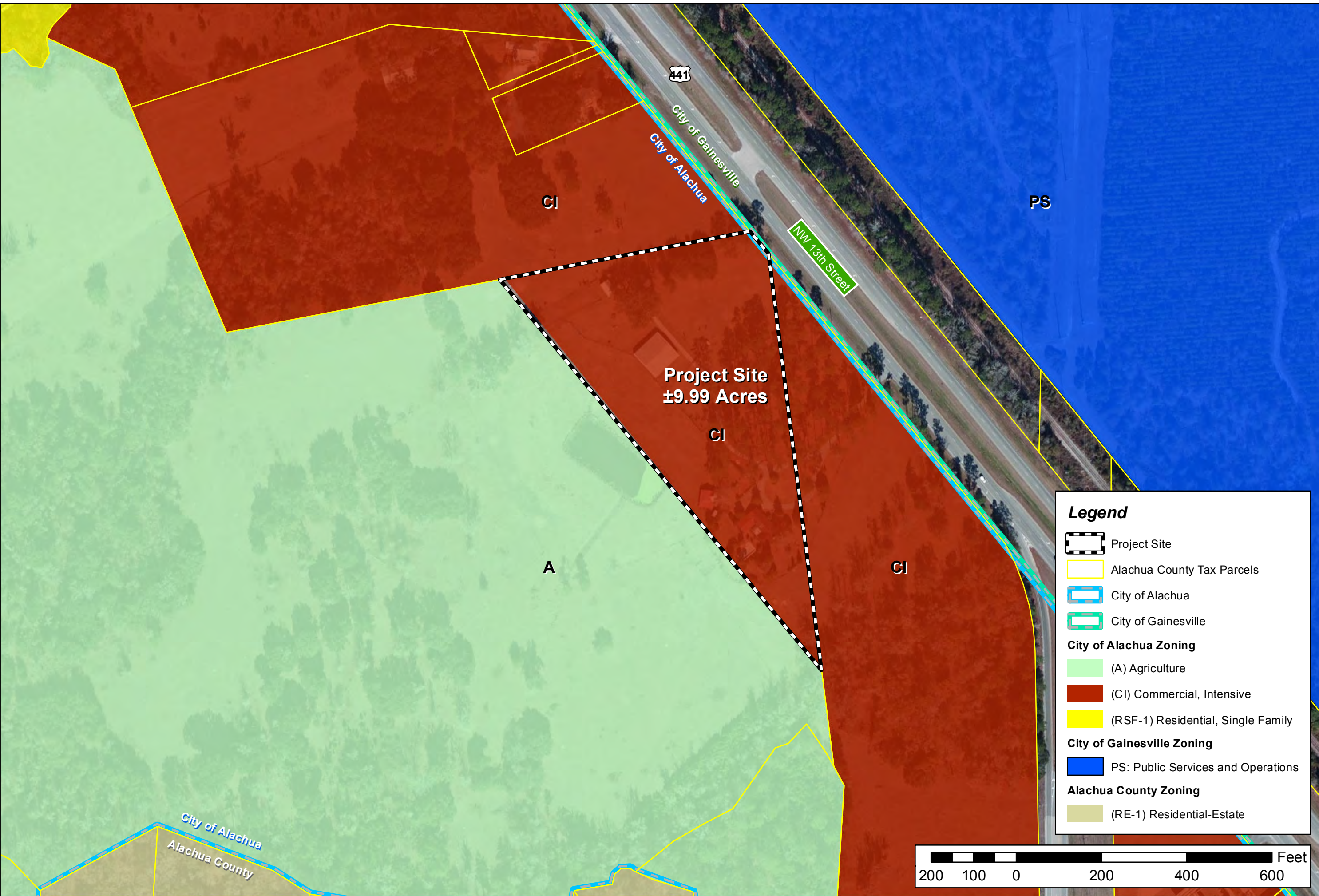
Alachua County Zoning

- (RE-1) Residential-Estate



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GCS: North_American_1983
Prepared by: Employee 446
Date: 9/26/2017

A Portion of Alachua County Tax Parcel 05936-001-000
Rezoning Application



Legend

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

City of Alachua Zoning

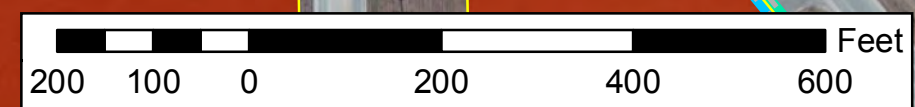
- (A) Agriculture
- (CI) Commercial, Intensive
- (RSF-1) Residential, Single Family

City of Gainesville Zoning

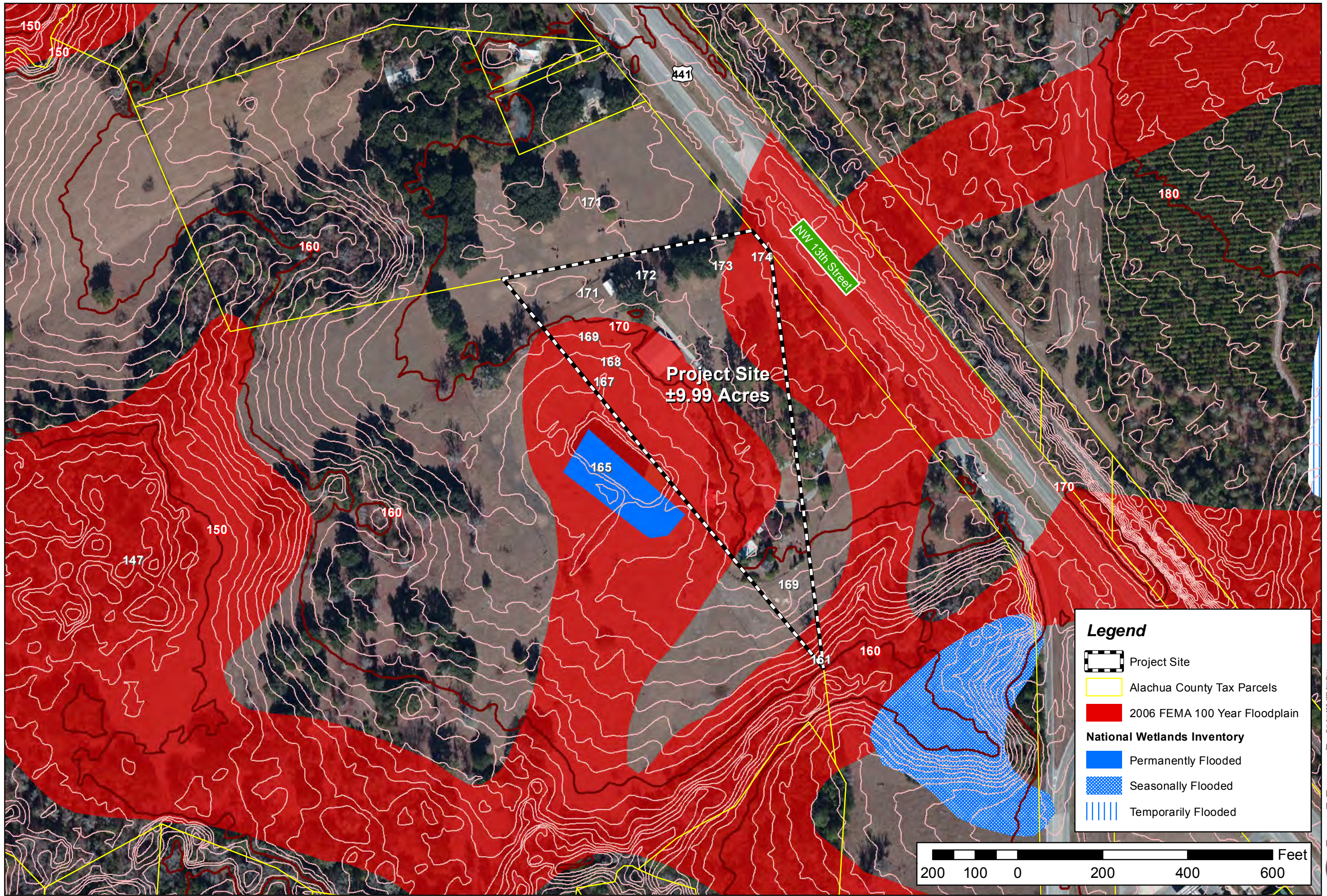
- PS: Public Services and Operations

Alachua County Zoning

- (RE-1) Residential-Estate



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Prepared by: Employee 446
Date: 9/26/2017



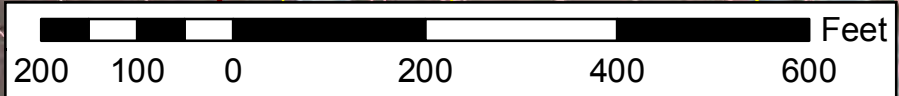
**A Portion of Alachua County Tax Parcel 05936-001-000
Rezoning Application**

Legend

- Project Site
- Alachua County Tax Parcels
- 2006 FEMA 100 Year Floodplain

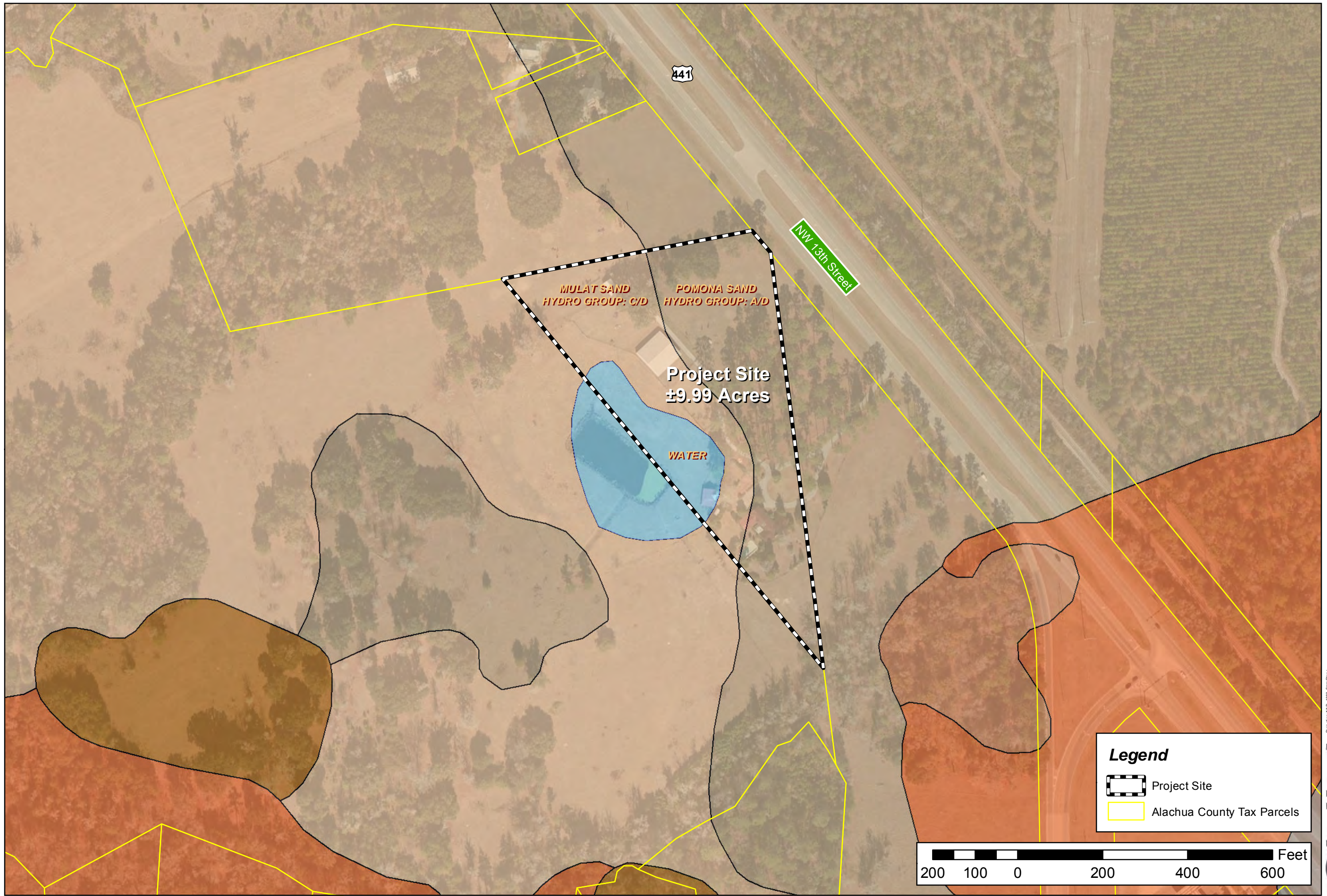
National Wetlands Inventory

- Permanently Flooded
- Seasonally Flooded
- Temporarily Flooded



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 GCS: North_American_1983
 Prepared by: Employee 446
 Date: 9/26/2017

A Portion of Alachua County Tax Parcel 05936-001-000
Rezoning Application



MULAT SAND
HYDRO GROUP: C/D

POMONA SAND
HYDRO GROUP: A/D



Project Site
±9.99 Acres

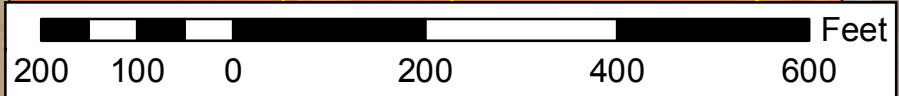
WATER

NW 13th Street

441

Legend

-  Project Site
-  Alachua County Tax Parcels



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Standard Parallel 2: 29.5633333
Latitude of Origin: 29.0000000
GCS: North_American_1983
Prepared by: Employee 446
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MEMORANDUM

To: Adam Hall, AICP, Planning & Community Development, Planner
From: Ryan Thompson, AICP, Project Manager 17-0218
Date: Thursday, November 2, 2017
RE: Meeks Rezoning – Response to DRT Comments

Below are responses to DRT Comments received on October 26th, 2017 for the above-referenced project. In addition, the Justification Report has been revised, where applicable, to incorporate these responses, and can be identified in underline font.

1. Standards for Site Specific Amendments to the Official Zoning Atlas

- a. Please see revised (November 2, 2017) Justification Report, page 13 with the following response:

In addition to being compatible with adjacent properties that share Commercial Intensive Zoning District designations, this Rezoning application is also compatible with Agricultural-zoned, adjacent properties. The portion of tax parcel 05936-001-000 that is not being rezoned will remain in the Agricultural Zoning District. Currently, the site is being used for pasture and possibly timber, which are considered passive agricultural operations, as opposed to active operations that require heavy equipment for planting, fertilizing, irrigating, and harvesting. The remaining portion may continue to be used for pasture/timber land, which will have little or no impact on the subject property, if developed with commercial uses.

There are numerous examples of commercial uses adjacent to agricultural operations along the US-441 corridor and elsewhere within the City of Alachua. The City Comprehensive Plan and Land Development Code, as well as other local, regional (Water Management District) and state review agencies are required to review and approve any applicable permit applications for onsite development. These regulations restrict onsite stormwater runoff, light, noise, etc. associated with development from impacting adjacent properties. Notably, the City does not require perimeter buffers between Commercial and Agricultural uses, per LDR Table 6.2-2, which indicates that there is no perceived issue with these uses being located adjacent to each other.

- b. Please see revised (November 2, 2017) Justification Report, pages 14-15 with the following response:

According to the most updated National Wetlands Inventory (NWI) data and aerial observations, the ±9.99-acre site does not possess any onsite wetland features. However, the remaining portion of 05936-001-000 possesses multiple wetlands, including one, apparently-manmade feature adjacent to the site's southwest boundary. Onsite development will not impact this water feature, nor will the feature impact onsite development.

The site does contain ±3.85 acres of FEMA floodplains. Thus, future site plans for the subject property will incorporate a stormwater management facility(ies) that

compensates for the existing floodplain volume of water, in addition to what is required to retain/detain stormwater resulting from onsite development.

During site plan preparation, a professional environmental scientist shall review the site and determine the significance of natural features, as required by City LDR. Significant onsite natural features shall be avoided to the maximum extent practicable or mitigated consistent with City LDR requirements.

2. Comprehensive Plan Consistency Analysis

- a. Please see revised (November 2, 2017) Justification Report, page 10 with the following response:

A commercial node is typically the intersection of two major roadways that is characterized by commercial development at each of its corners. The term 'node' applies to the US-441/NW 43rd Street intersection since both are major roadways and the primary development is commercial: a fueling station, other automobile-related uses, and self-storage.

Kevin Lynch (1979) speaks extensively on 'nodes' and their role as a key City element in the seminal urban planning text, *The Image of the City*, in which he defines it as "the strategic spots in a city into which an observer can enter ... they may be primarily junctions, places of a break in transportation, a crossing or convergence of paths, moments of shift from one structure to another. Or the nodes may be simply concentrations... a street-corner hangout or an enclosed square." (p. 47). The US-441/NW 43rd Street intersection serves as a 'junction,' while the 'observer,' in this instance, is entering the City of Gainesville via automobile, from US-441 to NW 43rd Street, or into the City of Alachua from the reverse direction.

- b. Please see revised (November 2, 2017) Justification Report, page 12 with the following response:

As stated within previous sections of this report, the ±9.99-acre subject property does not contain onsite wetland features, as evidenced by the best available desktop data and analysis. Although, a potential wetland is located within 100 feet of the subject property, on the remaining portion of 05936-001-000.

During site plan preparation, a professional environmental scientist shall review the site and determine the significance of natural features, as required by City LDR. Significant onsite natural features shall be avoided to the maximum extent practicable or mitigated consistent with City LDR requirements.

- c. Please see revised (November 2, 2017) Justification Report, page 11 with the following response:

There are currently two types of soils located onsite—Mulat Sand (Hydro Group: C/D) and Pomona Sand (Hydro Group: A/D). According to the NRCS soil database, both Mulat and Pomona Sand have significant limitations for urban development. Therefore, site design will address these soil composition limitations with properly-designed drainage and stormwater management facilities.

3. Concurrency Impact Analysis

- a. Please see revised (November 2, 2017) Justification Report, page 7 with the following response:

Projected impacts to Segments 6 and 7 may exceed 5% of Maximum Service Volume (MSV), if this site is developed at the proposed zoning district's maximum development potential. However, if developed under this scenario, both FDOT segments will continue to retain sufficient roadway capacity during both AADT and PM Peak. In fact, neither of the affected roadway segments will experience a failing roadway LOS because of this Rezoning application's approval. No other roadway segments are anticipated to receive greater than 5% MSV.

b. The revised (November 2, 2017) Justification Report addressed this discrepancy.

4. Public Services/Building Official/Fire Marshall/Outside Review

a. Public Services has provided utility maps for water, sewer, and electric systems within the project site area. The site may extend City of Alachua water and/or sewer systems currently located along the US-441 corridor to serve onsite development. Further coordination will occur during site plan submittal.

5. Miscellaneous

a. Please see Section 10 of the Application Package, which includes evidence of the applicant's proof of corporate ownership.

b. The revised (November 2, 2017) Justification Report addressed this request.

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Detail by Entity Name

Florida Limited Liability Company
DM ALACHUA INVESTMENTS LLC

Filing Information

Document Number L17000009624
FEI/EIN Number NONE
Date Filed 01/12/2017
State FL
Status ACTIVE

Principal Address

4045 NW 43RD ST
STE A
GAINESVILLE, FL 32606 UN

Mailing Address

PO BOX 171
SUWANNEE, FL 32692

Registered Agent Name & Address

MEEKS, DAVID W
4045 NW 43RD ST
STE A
GAINESVILLE, FL 32609

Authorized Person(s) Detail

Name & Address

Title MGR

MEEKS, DAVID W
PO BOX 171
SUWANNEE, FL 32692

Annual Reports

No Annual Reports Filed

Document Images

[01/12/2017 -- Florida Limited Liability](#)

[View image in PDF format](#)