
Application Z25-000004

Staff Contact:	Mehdi J. Benkhatar, AICP
Staff Phone Number:	352-374-5249 ext. 5261
PC Hearing Date:	April 16, 2025
BoCC Hearing Date:	August 12, 2025
Requested Action	A request by Clay Sweger of eda, inc. agent, for Gator Country, LLC and Bentley Properties Inc., owners, for a rezoning from A (Agriculture), R-1A (Single Family Residential), BH (Business Highway) BR (Business Retail) and MB (Marine Business) to R-1A (Single Family Residential) and C (Conservation) on approximately 82 acres.
Property Owner:	Gator Country, LLC and Bentley Properties Inc.
Applicant/Agent:	eda, Inc.
Property Description	Address: Located to the northwest of the SE Hawthorne Rd./Lakeshore Dr. intersection Parcel Numbers: 16184-000-000, 16185-000-000, 16201-004-000, 16194-001-000, 16194-002-000 and 16194-000-000 Section/Township/Range: 12/10/20 & 13/10/20 Land Use: Estate Residential (up to 1 dwelling unit per 2 acres), Low Density Residential (1 to 4 dwelling units/acre) and Commercial Zoning: R-1a, A, BR, BH and MB Acreage: 82 +/-
Previous Requests:	ZOX-02-05: Special Exception to allow a cocktail lounge/bar in an "MB" (Marine Business) Zoning District (on parcel 16194-002-000)
Violation History:	None

**Staff
Recommendation**

Staff recommends that the Board of County Commissioners approve Z25-000004, with the bases as listed in the staff report

**Planning
Commission
Recommendation**

The Planning Commission recommended that the Board of County Commissioners should not approve Z25-000004 (4-3 vote).

Background

This application is a request for a rezoning of parcels 16184-000-000, 16185-000-000, 16201-004-000, 16194-001-000, 16194-002-000 and 16194-000-000, totaling approximately 82 acres. A companion application, Z25-000003, is requesting a large-scale comprehensive plan map amendment on the same parcels. This application is intended to provide consistent zoning districts to implement the amended land uses if Z25-000003 is approved.

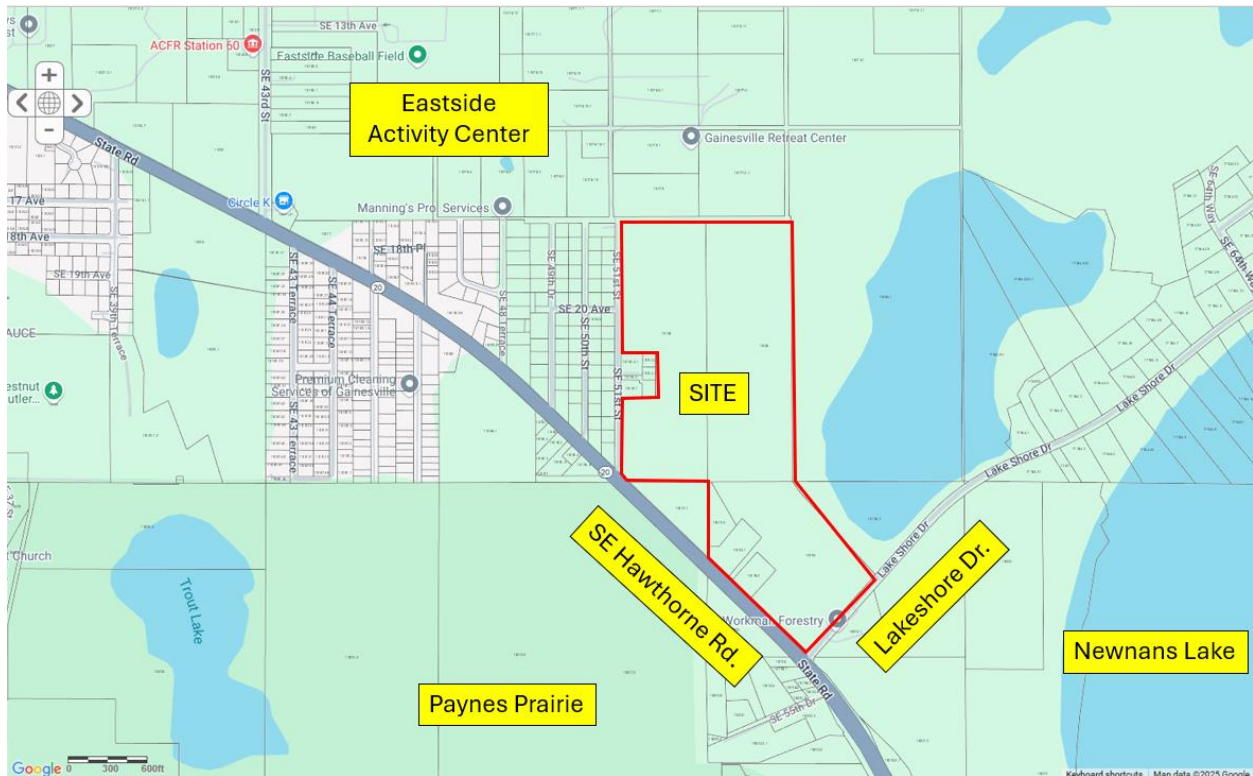


Figure 1: Location Map

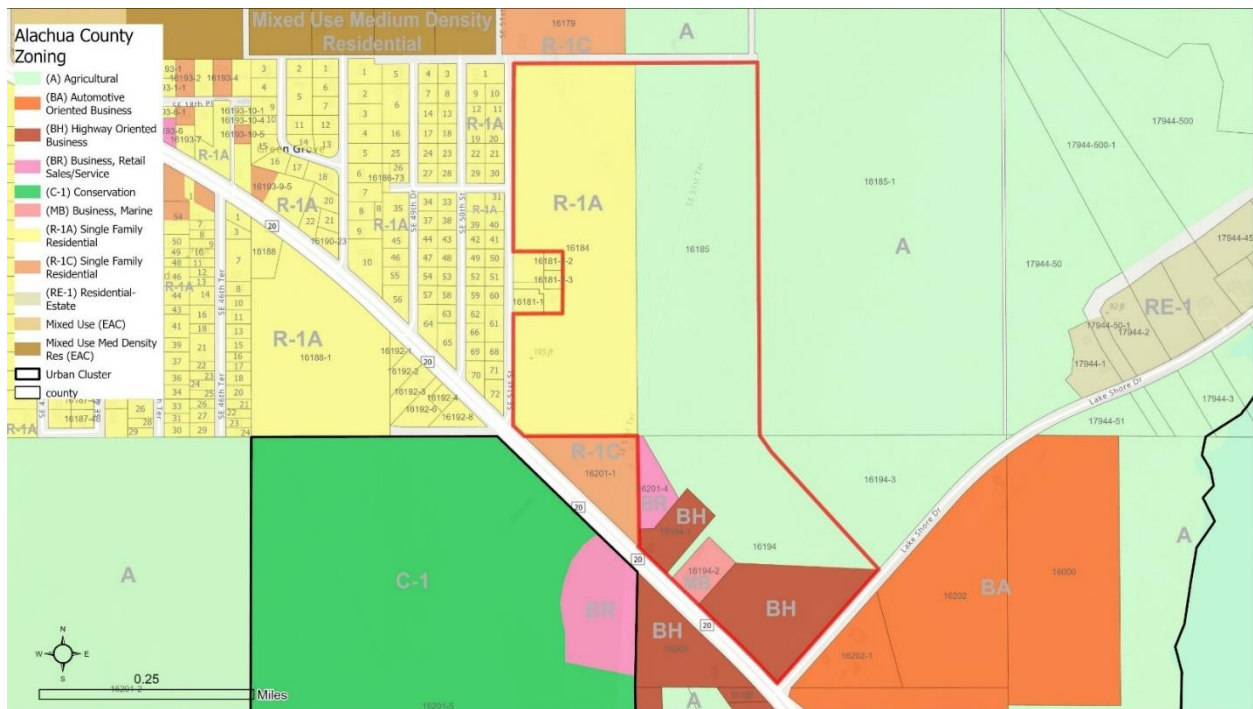


Figure 4: Zoning Map (Existing)

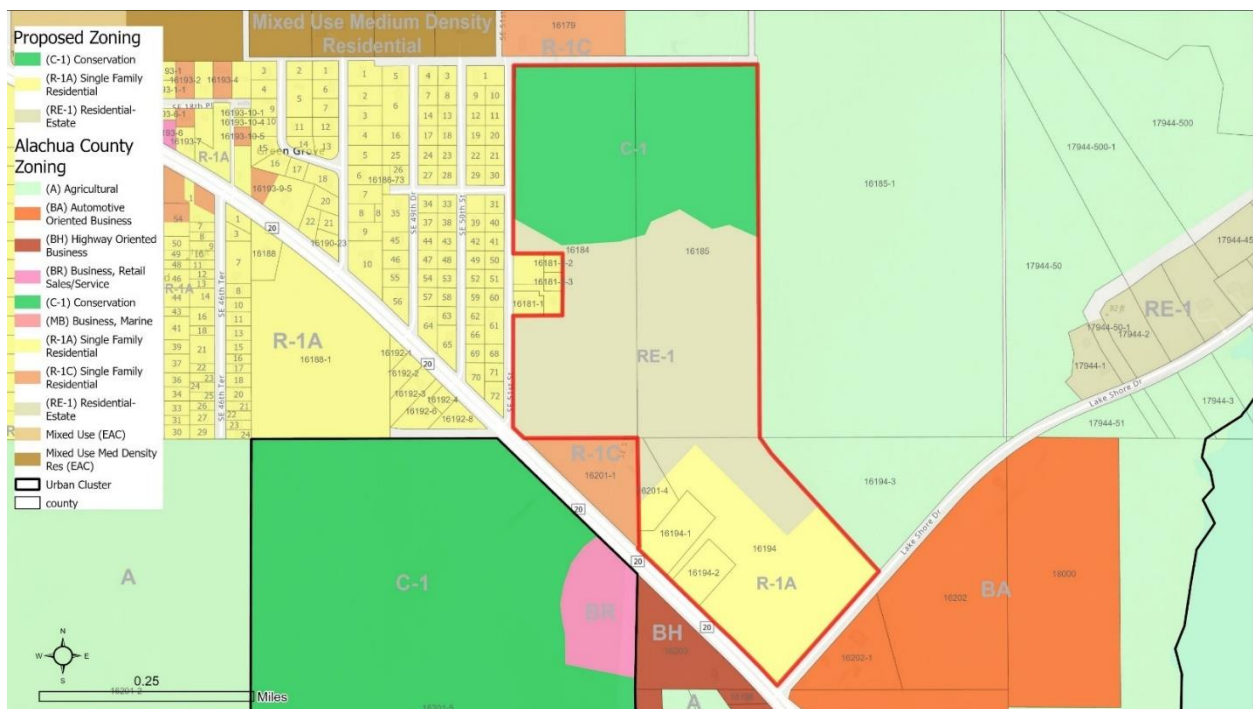


Figure 5: Zoning Map (Proposed)

The current zoning districts of R-1a (residential, 1 to 4 dwelling units/acre), Agriculture (1 dwelling unit per 5 acres) and commercial districts of BR (retail

sales and services), BH (highway-oriented business services) and MB (business marine) would be rezoned to C-1 (conservation), RE-1 (residential, 1 dwelling unit per 2 acres to 2 dwelling units/acre) and R-1a (residential, 1 to 4 dwelling units/acre). The existing and proposed zoning maps are shown above in Figures 4 and 5.

The related comprehensive plan amendment, Z25-000003, provides future land use categories that would yield a maximum potential of 221 dwelling units. However, Z25-000003 also has a text amendment that restricts the maximum to 149 dwelling units. Therefore, the limit of 149 units results in a net increase of 30 units from what the current zoning allows (119 units). The proposed zoning districts in this rezoning application correspond to this limit. A summary of the existing and proposed is shown below.

Existing Zoning Map

Zoning Designations	Acres (+/-)	Permitted DU/AC	Maximum Units	Permitted Non-Residential SF/AC	Maximum SF
R-1A	27.8 Ac.	4 DU/AC	111 Units	0 SF/AC	0 SF
A	41.1 Ac.	1 Unit/5 AC	8 Units	0 SF/AC	0 SF
BR/BH/MB	12.4 Ac.	0 DU/AC	0 Units	10,000 SF/AC ⁽¹⁾	124,000 SF
Total	81.3 Ac.		119 Units		124,000 SF

⁽¹⁾ Assumes 10,000 SF per Acre.

Proposed Zoning Map

Zoning Designations	Acres (+/-)	Permitted DU/AC	Maximum Units	Permitted Non-Residential SF/AC	Maximum SF
R-1A	18.8 Ac.	4 DU/AC	75 Units	0 SF/AC	0 SF
RE-1	36.0 Ac.	2 DU/AC	72 Units	0 SF/AC	0 SF
C-1	26.5 Ac.	1 DU/10 AC	2 Units	0 SF/AC	0 SF
Total	81.3 Ac.		149 Units		0 SF

Summary of Net Change between Existing and Proposed Zoning Map

	Residential Units	Non-Residential SF
Existing Zoning Map	119 Units	120,400 SF
Proposed Zoning Map	149 Units	0 SF
Net Change	+30 Units	- 124,000 SF

Site description

The site consists of six parcels totaling approximately 82 acres located to the northwest of the SE Hawthorne Rd./Lakeshore Dr. intersection, in the southeastern portion of the Urban Cluster.

The existing future land use designation of the site includes a mix of Low Density Residential (1 to 4 dwelling units/acre), Estate Residential (up to 1 dwelling unit per 2 acres) and Commercial. However, should Z25-000003 be approved, this would be amended to Low Density Residential (1 to 4 dwelling units/acre) and Conservation, as shown in Figure 3.

The existing zoning of the site includes R-1a and Agricultural in the northern portion of the site and a mix of commercial zoning districts along the portion fronting SE Hawthorne Rd. The site is mostly vacant with the exception of some abandoned commercial buildings along SE Hawthorne Rd (on parcels 16194-001-000 and 16194-002-000). The northern portion of the site (a little over 30 acres) also lies within the Eastside Greenway Strategic Ecosystem and contains wetlands.

To the north of the site are larger (5+ acre) parcels with single family residences. These parcels have Low Density Residential and Estate Residential future land use designations and a mix of zoning (R-1a, R-1c and A).

To the east of the site are two parcels with Estate Residential future land use designation and Agricultural zoning. The Eastside Strategic Ecosystem also extends along these parcels bordering to the east (with a small portion extending into the southernmost parcel of this site).

To the southeast, across Lakeshore Dr., are parcels with a split of Estate Residential and Commercial future land use designations, with Commercial being located in the vicinity of the Lakeshore Dr./SE Hawthorne Rd. intersection. A tree service business is located on parcel 16202-001-000. This area is the only area within the eastern portion of the Urban Cluster to have parcels with Commercial future land use designation. Parcels to the south of the site (south of SE Hawthorne Rd.) have Commercial future land use and

commercial zoning (BH) but no commercial uses. Further to the southwest lies the boundary of Paynes Prairie, owned by the State of Florida.

To the west of the site is the Green Grove subdivision with Low Density Residential future land use and R-1a zoning. Further the northwest lies the boundary of the Eastside Activity Center.

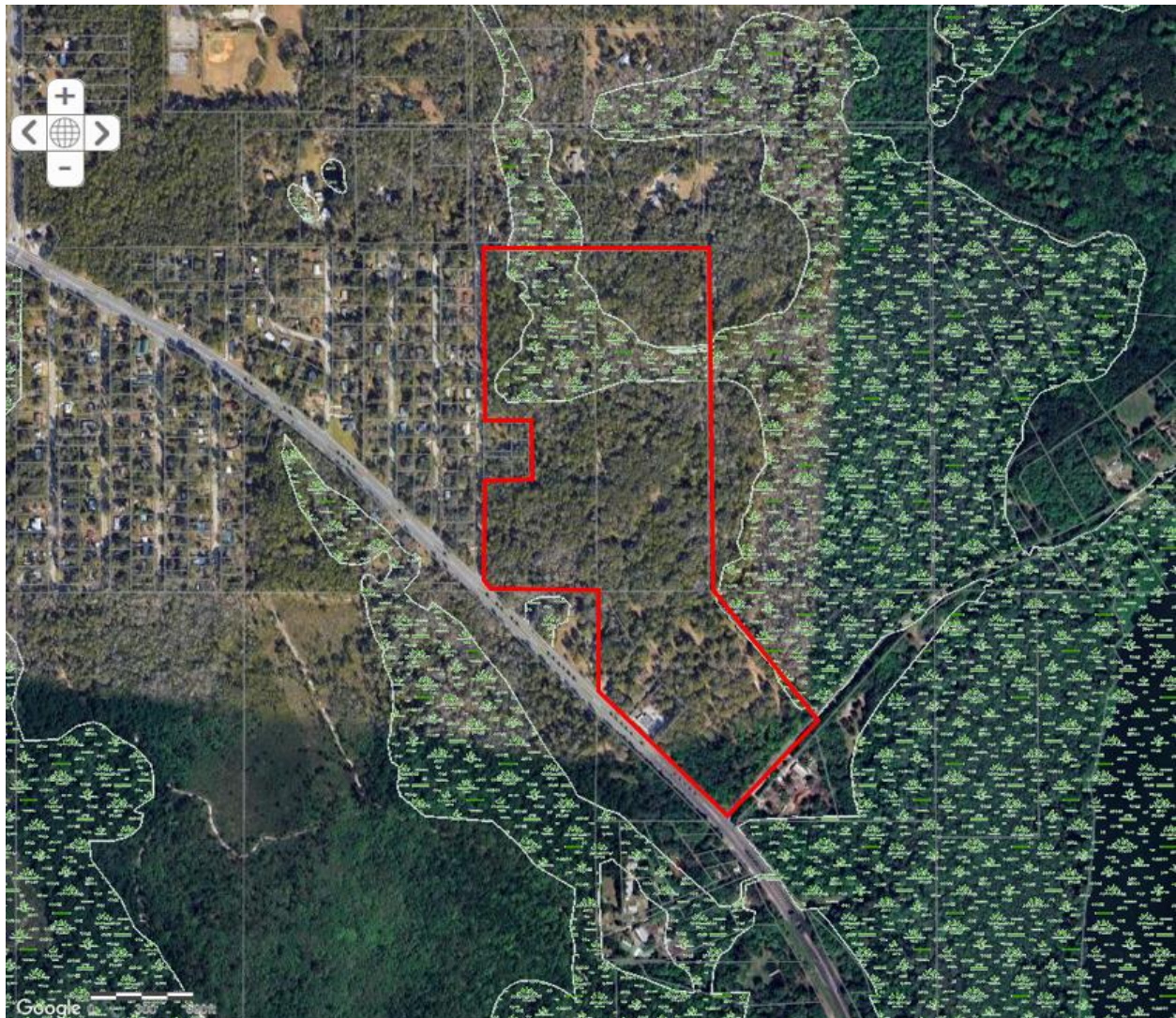


Figure 6: Wetland Map

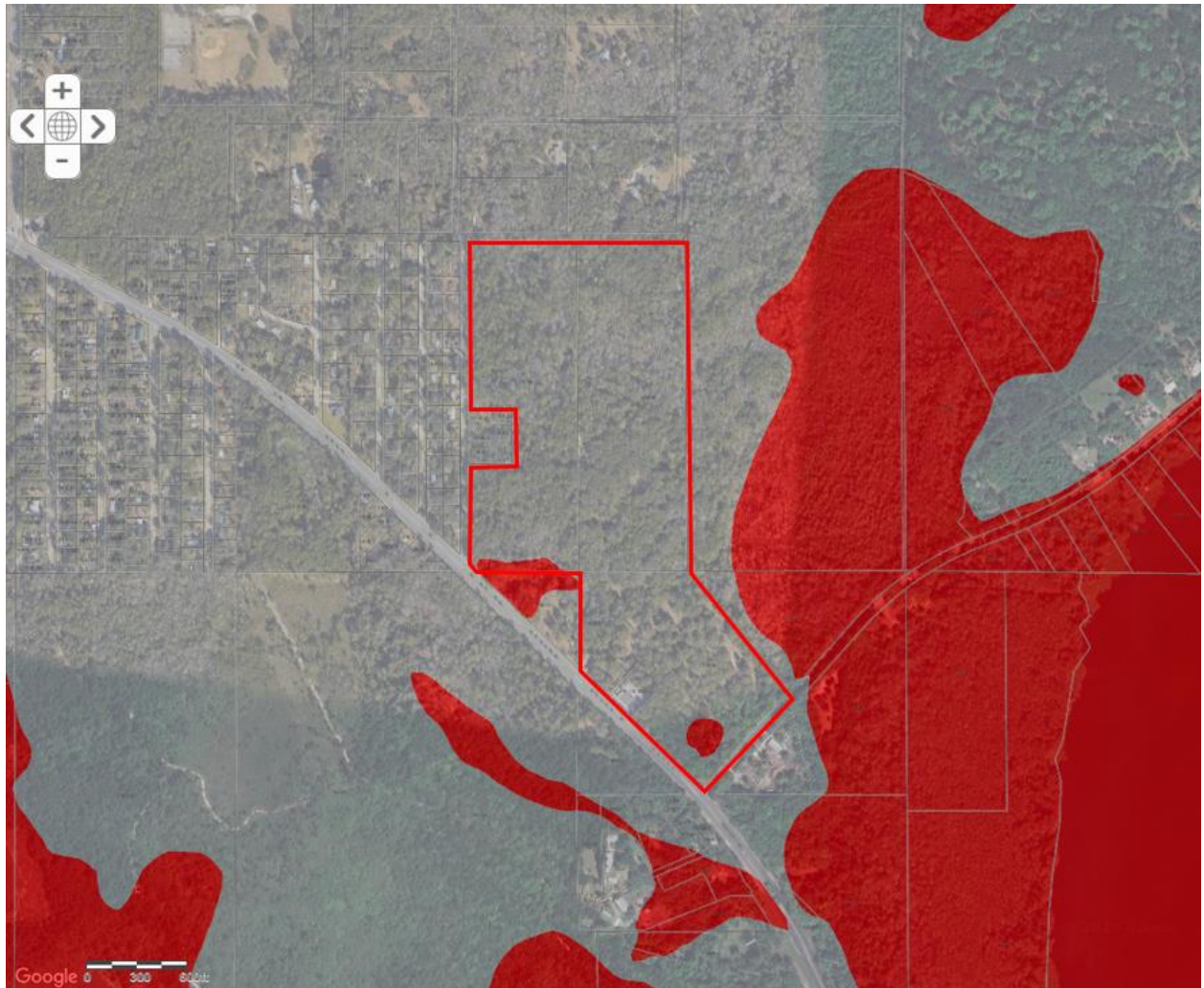


Figure 7: Flood Zone Map

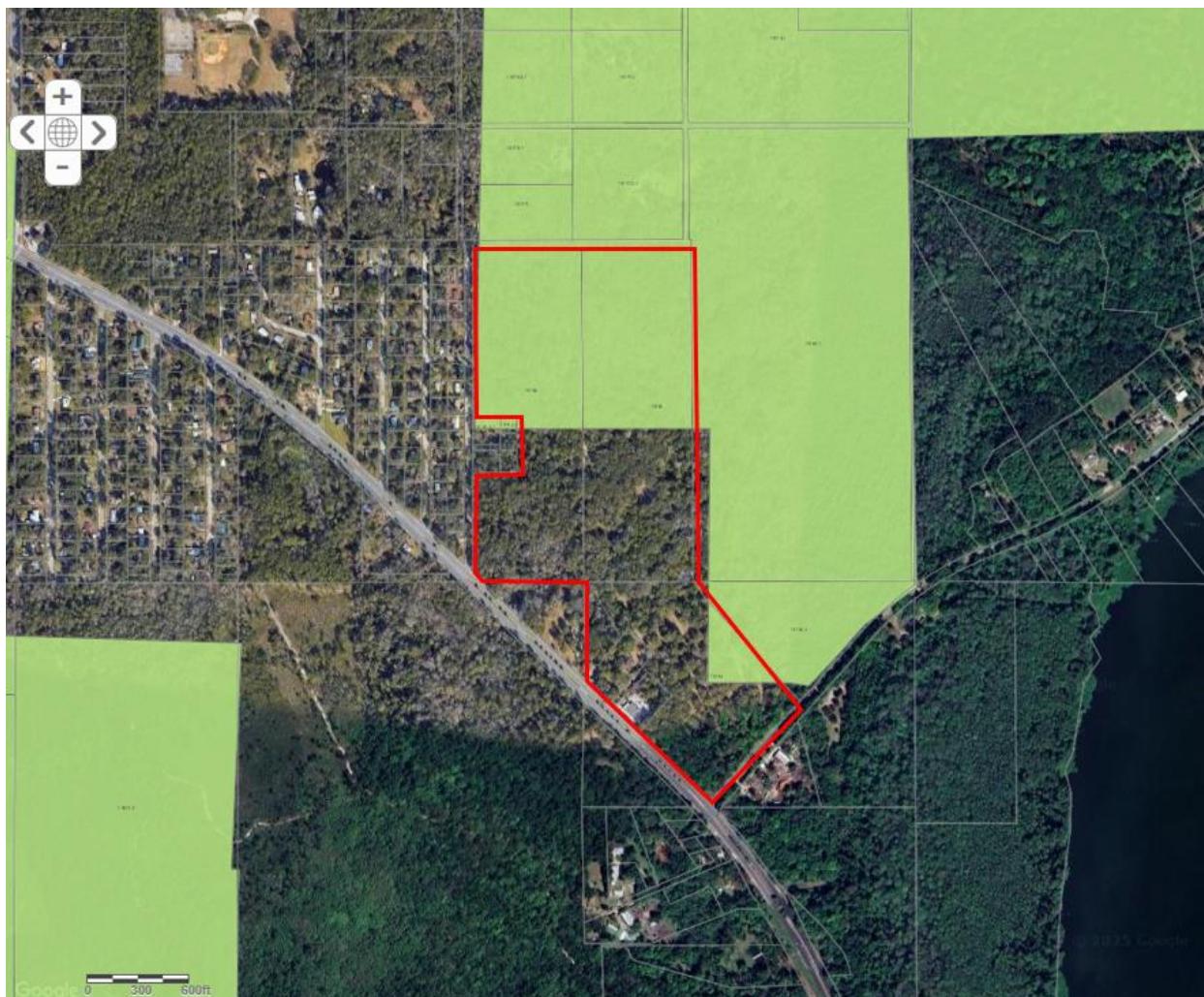


Figure 8: Strategic Ecosystem Map

Consistency with Comprehensive Plan

Levels of Service

The Alachua County Comprehensive Plan Capital Improvement Element requires that the public facilities and services needed to support development be available concurrent with the impacts of development and that issuance of a Certificate of Level of Service Compliance (CLSC) be a condition of all final development orders. 'Concurrent' shall mean that all adopted levels of service (LOS) standards shall be maintained or achieved within a specified timeframe. Per **Policy 1.2.4 and Policy 1.2.5 of the Capital Improvements Element** of the Alachua County Comprehensive Plan, LOS standards have been adopted for various types of public facilities.

Traffic

The proposed rezoning would result in the elimination of 12.4 acres of existing commercially zoned area on the site. Using an assumption of 10,000 sq. ft. of commercial uses per acre (i.e. 124,000 sq. ft.) a shopping plaza (ITE code 821) could result in 11,717 daily trips. Single-family residential uses produce far fewer trips. As proposed, the rezoning would result in over 10,000 fewer daily trips compared with the shopping plaza scenario development. Development on the subject property will mitigate its impacts through the mobility fee program. Per Any necessary operational improvements will be analyzed during development plan review.

Water and Sewer

Policy 1.2.4 (d) of the Capital Improvements Element describes the minimum Level of Service standards for potable water and sewer. These are summarized in the following table:

	Peak Residential & Non Residential	Pressure	Storage Capacity
Potable Water	200 gallons/day/du	40 p.s.i.	½ peak day volume
Sanitary Sewer	106 gallons/day/du	N/A	N/A

The site is located within the Urban Cluster and will be served by centralized water and sewer lines.

Drainage

Policy 1.2.4 (c) of the Capital Improvements Element states that the minimum drainage LOS standard for residential development requires a floor elevation of one (1) foot above the 100-year/critical duration storm.

Development on this site would be required to meet this standard.

Emergency Services

Policy 1.2.5 (a) of the Capital Improvements Element states that the LOS standard for fire services in the Urban Cluster is as follows:

- Initial unit response within 6 minutes for 80% of all responses within 12 months
- Development shall provide 100% of water supply from hydrants.

All development would be required to meet these standards at the time of development plan approval.

Solid Waste

Policy 1.2.4 (b) of the Capital Improvements Element states that the minimum level of service standard for solid waste disposal used for determining the availability of disposal capacity to accommodate demand generated by existing and new development, at a minimum, shall be 0.8 tons

per person per year. LOS standards for solid waste will not be exceeded by this request.

Schools

Objective 2.2 of the Public School Facilities Element states that Alachua County in coordination with SBAC shall ensure that the capacity of public schools is sufficient to support final development plans for residential developments.

The site is located in the Eastside High School Concurrency Service Area (CSA), the Lincoln Middle School CSA and the Gainesville East Alachua Elementary CSA. Based on the Alachua County School Board's (ACSB) student multipliers this would yield the following number of student stations:

SINGLE FAMILY RESIDENTIAL DEVELOPMENT STUDENT GENERATION CALCULATIONS

ELEMENTARY	<input type="text" value="149"/>	units X 0.12 Elementary School Multiplier	<input type="text" value="18"/>	Student Stations
MIDDLE	<input type="text" value="149"/>	units X 0.06 Middle School Multiplier	<input type="text" value="9"/>	Student Stations
HIGH	<input type="text" value="149"/>	units X 0.09 High School Multiplier	<input type="text" value="14"/>	Student Stations

The ACSB states in its 2023 School Concurrency Report that student capacity within the Concurrency Service Areas for this site during the 2025-26 school year are as follows:

Elementary: 2,503 available stations (70% capacity)

Middle: 364 available stations (65% capacity)

High: 1,054 available stations (57% capacity)

Therefore, adequate capacity exists to meet the Level of Service (LOS) Standards for public schools (i.e. 100% of Program Capacity).

Recreation

The proposed rezoning will maintain the County's adopted level of service (LOS) for recreation. **Policy 1.2.4(a) of the Capital Improvements Element** states:

The County shall adopt and maintain, at a minimum, the following level of service standards for recreation of: (1) 0.5 acres of improved activity-based recreation sites per 1000 persons in the unincorporated area of Alachua County; (2) 5.0 acres of improved based recreation sites per 1000 persons in the unincorporated area of Alachua County.

The proposed rezoning authorizes up to 149 dwelling units. The Alachua County Parks and Open Space Master Plan (2023) identifies the following recreational capacity:

Year	Unincorporated Alachua Co. Pop. Est.	Existing Activity-Based Acres	Acres Needed	Surplus/Deficiency Acres
2022	112,471	95	56	39
2027	116,036	95	58	37
2035	127,020	95	64	31

Year	Unincorporated Alachua Co. Pop. Est.	Existing Resource-Based Acres	Acres Needed	Surplus/Deficiency Acres
2022	112,471	611	562	49
2027	116,036	611	580	31
2035	127,020	611	635	-24

Figure 9: Recreation surplus/deficiency for unincorporated county

The additional number of units (30 additional from existing) that would be authorized if this rezoning were to be approved would not cause a deficiency in the Recreation LOS.

Policy 7.1.2 of the Future Land Use Element

Policy 7.1.2 of the Future Land Use Element states that:

Proposed changes in the zoning map shall consider:

- a. consistency with the goals, objectives, policies and adopted maps of the Comprehensive Plan*

The proposed rezoning is in relation to Comprehensive Plan amendment application Z25-000003. If that application is approved, this rezoning will serve to implement the new future land use designations. Therefore, the changes to the zoning map will be consistent with the goals, objectives, policies and adopted maps of the Comprehensive Plan.

- b. the availability and capacity of public facilities required to serve the development. When considering a rezoning, this includes availability and capacity of existing public facilities and timing of future facilities based on capital plans. Specific determinations for any exceptions to the requirement to connect to a centralized potable water and sanitary sewer system will be made at the stage of development plan review, as detailed in Policy 2.1 of the Potable Water and Sanitary Sewer Element.*

The site of the rezoning lies within the southeastern portion of the Urban Cluster, along SE Hawthorne Rd. (State Rd. 20), a major arterial. Potable water and sanitary sewer lines from Gainesville Regional Utilities (GRU) run along SE Hawthorne Rd. and will serve future development at this site. As mentioned in the levels of service section above, public facilities and services needed to support future development at this site are available.

- c. the relationship of the proposed development to existing development in the vicinity and considerations relating to environmental justice and redevelopment opportunities.*

Existing development in the vicinity of the site consists of the single-family residential on large lots to the north, the Green Grove subdivision and other single-family residential parcels to the west and south, and the Workman tree service business to the southeast. The proposed rezoning would allow single-family residential uses, up to 149 units, on the southern portion of the site (approximately 50 acres). Staff have not found any issues related to environmental justice or redevelopment opportunities that would result from the approval of this rezoning application.

- d. those factors identified by law, including that as a general matter an applicant is not entitled to a particular density or intensity within the range of densities and intensities permitted by the Comprehensive Plan, given due consideration of legitimate public purposes relating to health, safety, and welfare.*

The proposed rezoning has been sought to implement the future land use designations as proposed in the companion land use amendment application Z25-000003. If approved, this rezoning would be consistent with the density range of the Low Density Residential land use category (1 to 4 dwelling units/acre). Specifically, the proposed zoning would yield a maximum of 147 units within the residentially zoned portion of the site (2 additional units within the portion zoned Conservation, for a total of 149) which would equate to a density of approximately 1.82 units/acre. The portion of the site that has been requested to be rezoned to RE-1 serves to limit the maximum number of units.

Unified Land Development Code (ULDC) Consistency

Sec. 402.77. - Review criteria and standards for rezoning applications.

When considering any application for rezoning, the standards and criteria listed below shall apply.

(a)Consistency. *The proposed rezoning is consistent with the Comprehensive Plan and this ULDC.*

The proposed rezoning is consistent with the Comprehensive Plan and ULDC. The zoning districts proposed serve to implement the land use designations of the companion land use amendment application, Z25-000003.

(b)Compatibility. *The proposed rezoning is compatible with the present zoning pattern and conforming uses of nearby property and the character of the surrounding area.*

The present zoning pattern is marked by lower density residential to the north and west, toward the higher densities found Eastside Activity Center, Agricultural zoning to the east, an area with undeveloped wetlands, commercial districts to the south (mostly without any commercial activity) and conservation to the southwest (indicative of Paynes Prairie). The proposed zoning seeks to concentrate future residential development nearer to SE Hawthorne Rd., leaving the northern portion located in the Strategic Ecosystem free from development.

(c)Development patterns. *The proposed rezoning shall result in logical and orderly development patterns.*

The proposed rezoning shall result in a logical and orderly development pattern. This application serves to implement the companion large-scale land use amendment, Z25-000003. The proposed zoning map locates the residential zoning districts R-1a and RE-1 in the area that has been

proposed to be Low Density Residential (1 to 4 dwelling units/acre) and the conservation district C-1 in the area that has been proposed as Conservation future land use. The higher density R-1a zoning has been proposed at the southern end of the site by the intersection of SE Hawthorne Rd. and Lakeshore Dr. while the lower density RE-1 is proposed to be in the central portion of the site, buffering from the C-1 conservation area.

(d)Suitability. *The affected property is suitable for the uses that are permitted by the proposed zoning districts.*

The affected property is located within the Urban Cluster and is served by public utilities and roads that are suitable for future residential development.

(e)Adequate public services. *The proposed rezoning is consistent with the adequate public facilities requirements of Article XII, Chapter 407 of this ULDC.*

The proposed rezoning is consistent with the adequate public facilities requirements. As demonstrated in the Level of Service section of this staff report, the proposed rezoning will maintain the level of service standards as required by Article XII, Chapter 407 of the ULDC (Concurrency and Level of Service Management) for transportation facilities, potable water, sanitary sewer, parks, solid waste, stormwater management, and public school facilities.

(f)Access. *Available ingress and egress is adequate for potential uses in the proposed zoning district.*

The site has public road access on three sides (east, west, south). Ingress/egress points shall be required from each of these sides as part of any future development.

(g)Public health, safety, and welfare. *The uses allowed within the proposed zoning district shall not adversely affect health, safety, and welfare.*

The uses allowed within the proposed zoning districts will not adversely affect health, safety, or welfare of the public. The proposed zoning map has been drawn to locate single-family residential uses away from the Eastside Greenway Strategic Ecosystem and wetlands. Conservation zoning has been proposed to protect natural resources on site.

Staff Recommendation

Staff recommends that the Board of County Commissioners **approve Z25-000004**, with the bases as listed in the staff report.

Bases

1. The proposed rezoning will provide consistent implementation of the future land use designations that have been requested in the related land use amendment application, Z25-000003.
2. The proposed rezoning meets the standards as listed in **Section 402.77 of the Unified Land Development Code** for rezoning applications.
3. The proposed rezoning is consistent with **Policy 7.1.2 of the Future Land Use Element of the Comprehensive Plan**.
4. Staff have reviewed the Environmental Resource Assessment submitted as part of the rezoning application and determined that the proposed rezoning will be consistent with protection of natural resources, per **Policy 3.4.1 of the Conservation & Open Space Element of the Comprehensive Plan**.
5. The proposed rezoning remedies inconsistent land use and zoning on parcels 16185-000-000 and 16194-000-000.

Staff and Agency Comments

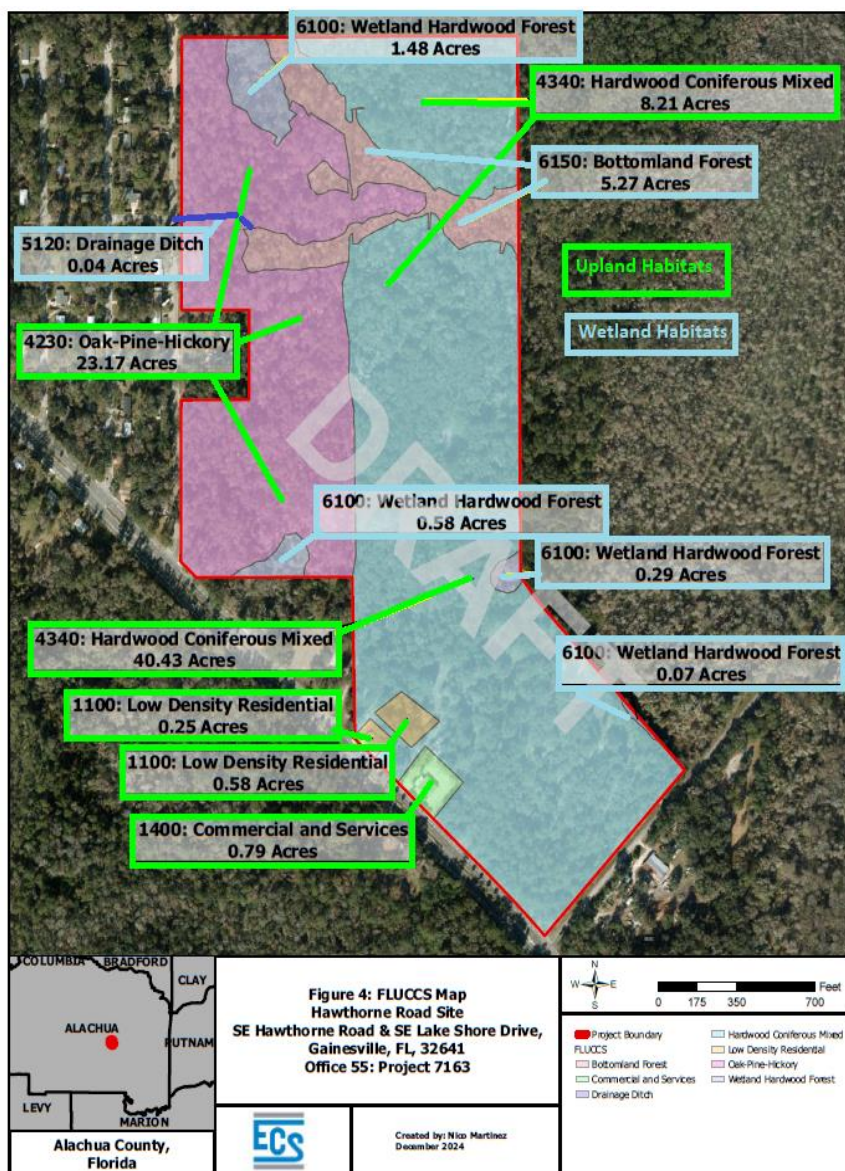
Department of Environmental Protection

The natural resources of the 82-acre “subject site” were evaluated by an environmental consulting firm (ECS Florida, LLC) during dates between December 17th - 23rd, 2024. As stated in the submitted environmental report, the “*purpose of the site visits were to evaluate for the occurrence and/or potential for occurrence and associated locations of jurisdictional wetlands and/or protected wildlife species (and their habitats).*”

Upland & Wetland Habitats

The subject site’s upland habitats (figure below, green highlight) have canopy vegetation dominated by live oak (*Quercus virginiana*) and loblolly pine (*Pinus taeda*); as well as hickory (*Carya glabra*) and southern magnolia (*Magnolia grandiflora*). The upland herbaceous ground cover vegetation includes species such as saw palmetto (*Serenoa repens*), beauty berry (*Callicarpa americana*), coral ardisia (*Ardisia crenata*), and air-potato (*Dioscorea bulbifera*).

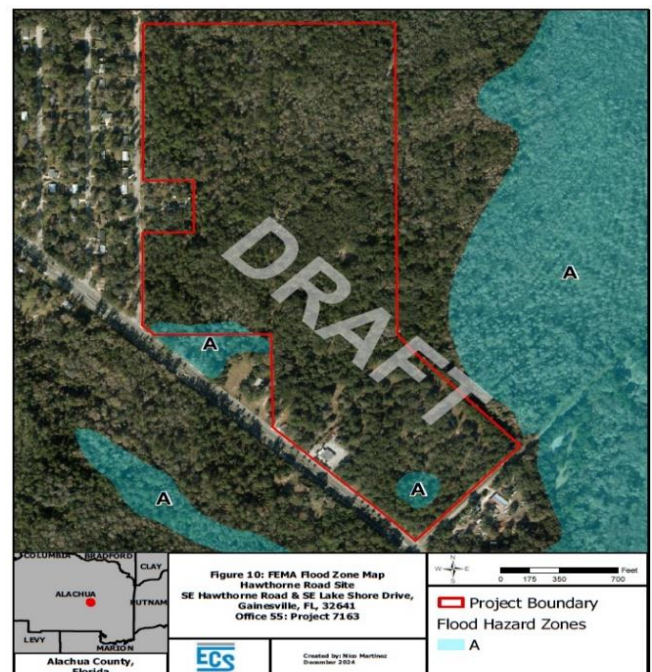
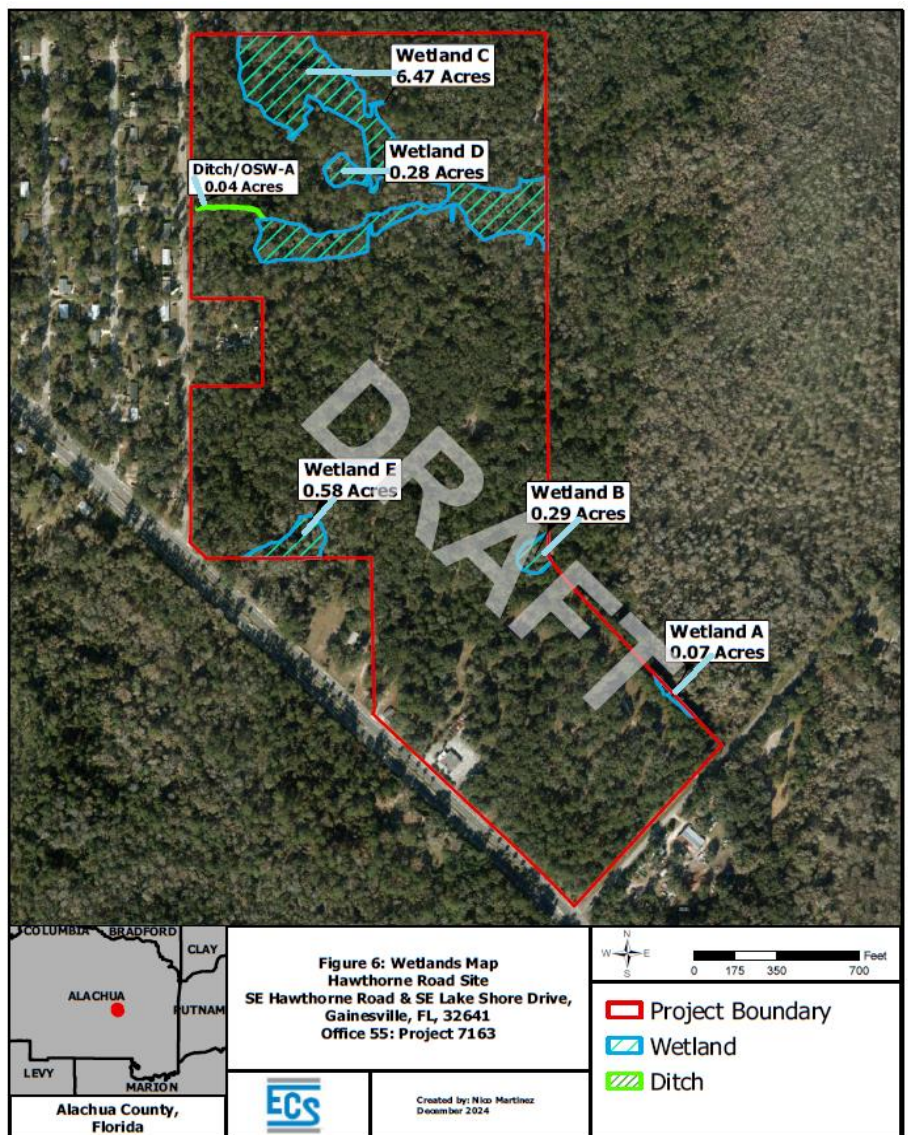
The site’s wetland habitat vegetation is dominated by water oak (*Quercus nigra*), laurel oak (*Quercus laurifolia*) and sweetgum (*Liquidambar styraciflua*) with a sub-canopy



dominated by laurel oak. The wetland herbaceous vegetation includes woodoats (*Chasmanthium spp*), cinnamon fern (*Osmundastrum cinnamomeum*), Virginia chain fern (*Woodwardia virginica*), arrowhead vine (*Syngonium podophyllum*), coral ardisia, and sphagnum (*Sphagnum spp*).

Wetlands, Surface Waters, 100-Year Flood Zone (ULDC - Sec. 406.42)

Alachua County's ULDC wetland evaluation and delineation requirements follow the same uniform statewide methodology adopted by the FDEP and the WMD's to delineate wetlands (FAC Rule 62-340.300) and surface waters (FAC Rule 62-340.600). ECS staff applied these methods for the subject site, resulting in the delineation of five wetlands and one surface water (ditch, OSW-A) within the subject site. EPD & ECS staff conducted a joint field review of the site and EPD staff concurred with the boundary delineations (right figure). The dominant wetland area (Wetland C – 6.5 acres) is associated with Lake Forest Creek and adjacent bottomland habitat that connects to other wetlands east to Newnans Lake. Preliminary discussions with the applicant and their engineering consultant (EDA, Inc.) indicate an objective of preparing a proposed

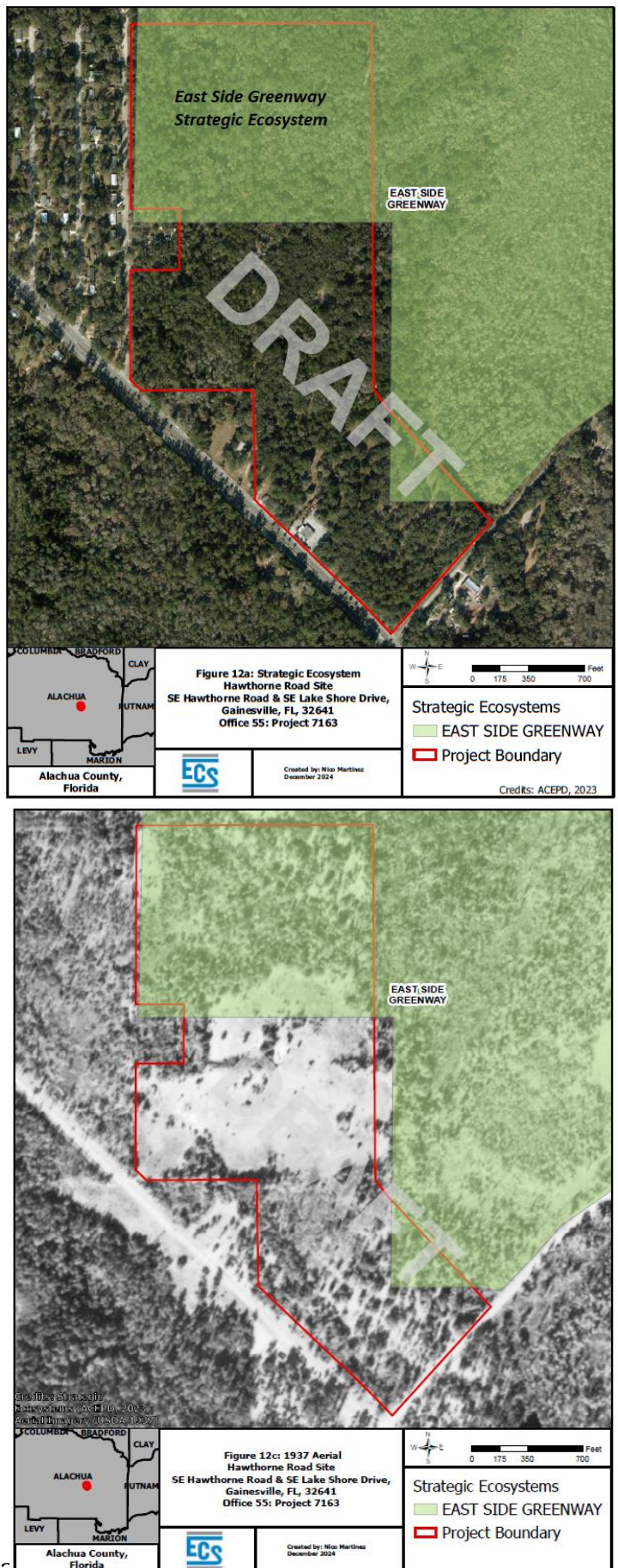


development plan that will achieve the average 75 ft., min. 50 ft. wetland buffer requirements (ULDC, Section 406.43).

As depicted on the right figure, the 100-Year Flood Zone “A” represents a small percentage of the subject site and doesn’t include the wetland associated with Lake Forest Creek.

Strategic Ecosystem (SE) ***(ULDC - Sec. 406.33)***

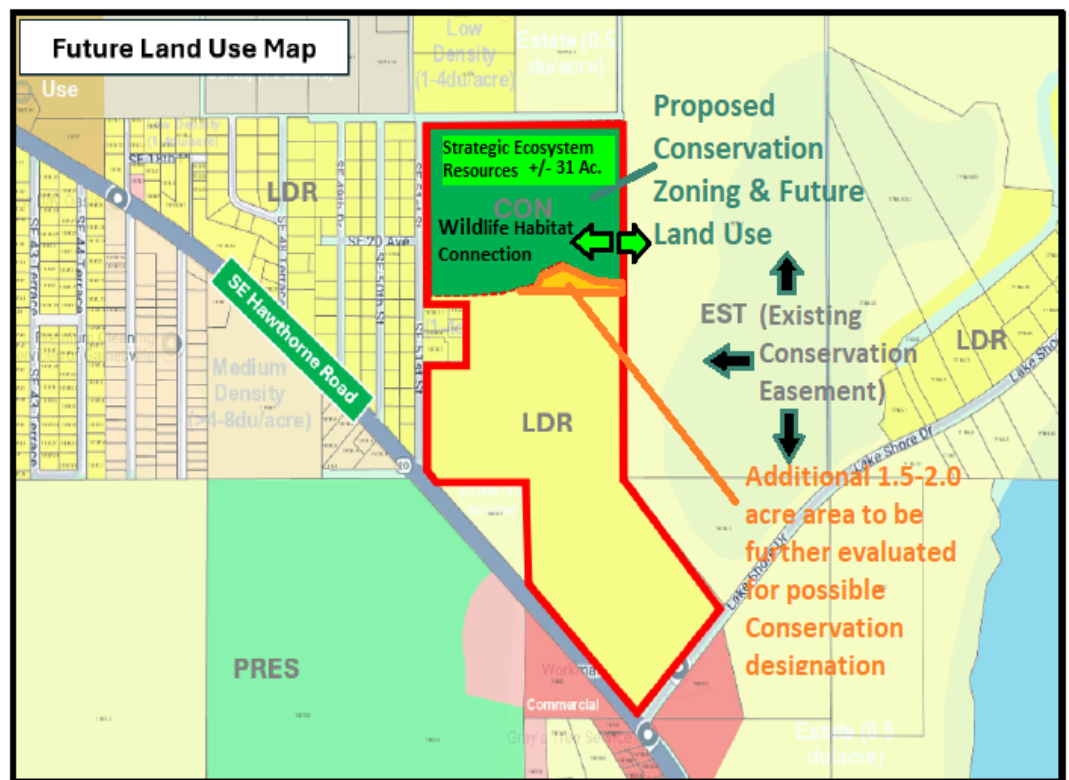
ECS staff utilized a combination of desktop analysis and field-based verification to evaluate the area designated within the *East Side Greenway Strategic Ecosystem* (SE) map overlay (right figure, 2024 aerial). The overlay map for this designated SE was generated based information compiled for the 1996 edition of the *Alachua County Ecological Inventory Project* (KBN/Golder). By reviewing various historical aerials dating back to the first overflight in 1937 (below), the periodic rotational pattern of primarily non-forested open fields followed by allowing natural regeneration of predominantly upland hardwood canopy within the southern half of the subject site were factors in excluding the southern extent of the SE map overlay across the subject site. Ground truth verification is required within delineated SE map overlays to verify the potential presence and extent of various natural habitats and ecosystem features that would appropriately qualify as strategic ecosystem



resources. When cross-referencing with the previous page, Forest Creek and associated forested wetland comprise 6.8-acres of the +/- 31 acres delineated in the SE map overlay. The remaining upland areas of the SE are comprised of “*Hardwood Conifer Mix*” in the northeast and “*Oak-Pine-Hickory*” in the northwest area of the subject site.

As referenced in the ULDC, the purpose of the designation and protection areas that has *Strategic Ecosystem* resources is “to protect, conserve, enhance, and manage the ecological integrity of natural systems in Alachua County that have aesthetic, ecological, economic, educational, historical, recreational, or scientific value due to the interrelationship of one or more landscape, natural community, or species scale characteristics. It is also the purpose of this Article to promote connectivity and minimize fragmentation of natural systems, and to protect wetlands, floodplains, and associated uplands in a broad systems context through resource-based

planning, including inter-jurisdictional and inter-agency coordination, across multiple parcels rather than individual parcel planning.” In addition to the various regulated natural resources referenced in Chapter 406 of the ULDC, there are other various features and factors that are evaluated in



determining the presence and extent of SE resources including but not limited to:

- Vegetation value and species diversity, including exotic species presence.
- Habitat potential for endangered species and other wildlife.
- Hydrological characteristics, including connectivity to the Floridan Aquifer.
- Surface water and flood protection functions.
- Community diversity, rarity, and ecological quality.
- Landscape connectivity and overall management potential.

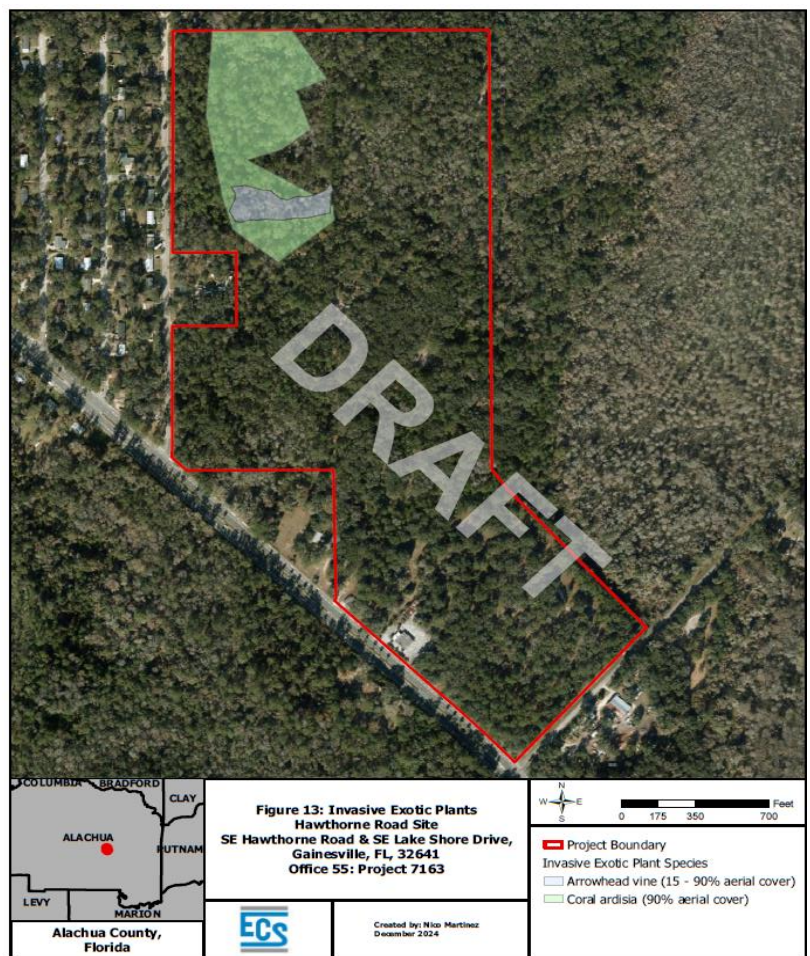
The above figure represents the location and preliminary southern boundary of the delineated SE resources within the SE overlay. As referenced on the figure, there is 1.5-2.0-acre area that has been historically cleared of tree canopy then regenerated tree canopy to be further evaluated for possible SE and Conservation classification. However, for current applications for Zoning and Future Land Use classifications of the subject site, the green-highlighted Conservation (CON) designation will not decrease in dimensions from the proposed Conservation future land use plan above. However, depending on the evaluation, dimensions may increase an additional 1.5-2.0- acres during Preliminary Design Phase evaluation (PDP).

Significant Habitat (SH) ***(ULDC - Sec. 406.17, 406.20)***

As referenced in the ULDC, the purpose of the “*Significant Habitat*” classification is “*to protect the **natural upland plant communities** which have the potential to maintain healthy and diverse populations of plants or wildlife, to preserve the ecological values and functions of significant plant and wildlife habitats, to provide for habitat corridors and minimize habitat fragmentation, in order to maintain and enhance the diversity and distribution of plant and animal species which are of aesthetic, ecological, economic, educational, historical, recreational, or scientific value to the County and its citizens.*”

Significant Habitat areas are designated based on consideration and assessment of factors referenced in the ULDC:

- * *Quality of native ecosystem.*
- * *Overall quality of biological diversity.*
- * *Wildlife habitat value.*
- * *Presence of listed or uncommon species.*



- * Grouping, contiguity, compactness of native vegetation.
- * Proximity to other natural preserve areas and corridors.
- * Impact by prohibited and invasive non-native vegetation.

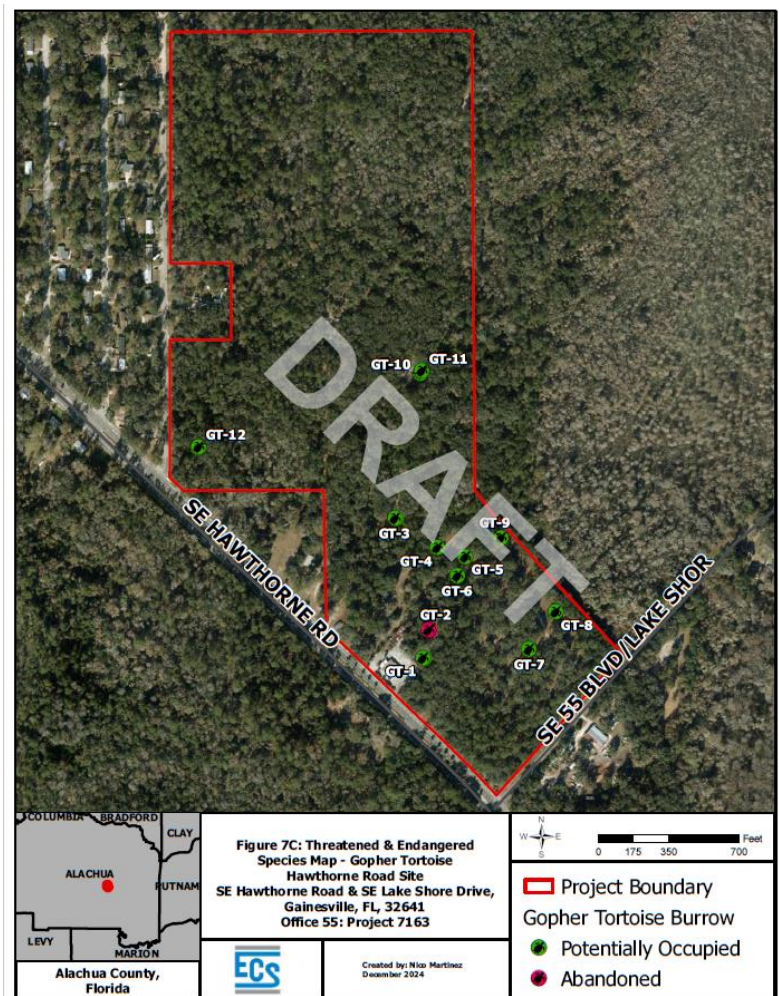
Based on EPD staff review of the site, the upland habitat within the designated SE overlay map qualify for classification as *Significant Habitat*. Even though there are upland areas further south of the SE overlay map boundary have some quality tree canopy specimens, there is limited diversity of desired tree species, insufficient native herb coverage, and reduced inter-relationship with wetland habitats to classify the southern half of the subject site as *Significant Habitat*. As referenced on the above figure, there are primarily

two invasive exotic plants located within the northwestern portion of the SE; Arrowhead vine (*Synгонium podophyllum*) and Coral ardisia (*Ardisia crenata*). The coverage of these exotic species decreases the function and benefits of the associated habitat to reduce the overall classification as *Significant Habitat*.

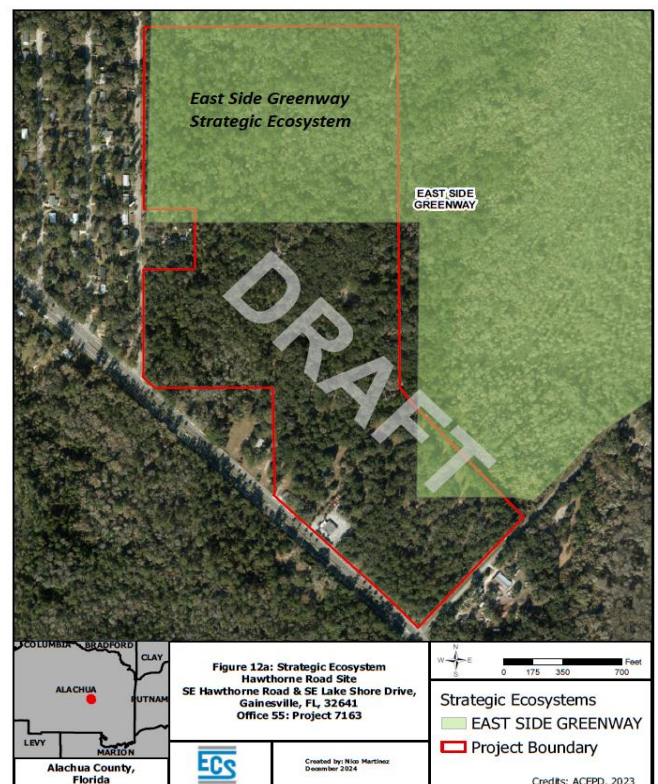
However, there are other referenced factors that would still qualify to classify these areas as SH. In addition, if the proposed project progresses, a “*Conservation Management Area (CMA) Management Plan*” will require eradication and management of these and other exotic and nuisance vegetative species.

Listed Species Habitat (LSH) ***(ULDC - Sec. 406.24)***

As referenced in the ECS report and depicted on the right aerial, there are gopher tortoise burrows (*Gopherus polyphemus*, FL Status -Threatened) reported in the southern half of the subject site. The designation of “*Listed Species Habitat*” shall be delineated based on



consideration and assessment similar to those factors utilized to designate “*Significant Habitat*.” However, evaluation extends further to include if/where the habitat is typically associated with the documented listed species and if/where the anticipated listed species population on the subject site represents a high quantity with minimal risk for being retained on-site. In general, individual gopher tortoises (GT’s) are anticipated to construct and regularly utilize two or more burrows. One burrow is the primary living quarters and the second is typically close to the primary burrow and utilized as an escape from potential predators and resting when foraging a further distance from the primary burrow. Recognizing the burrow survey doesn’t represent total coverage of the subject site, in general the dozen located burrows can anticipate to have 50% occupancy which would result in approximately six individual GT’s. The habitat associated with the GT burrows (“*Hardwood Conifer Mix*”) are comprised of opportunistic hardwoods (e.g. laurel oak) and pines with minor grass/sedge ground coverage that regenerated between periods of rotational tree management. Even though this habitat supports the presence of some individual GT’s, it is not typically associated with this species. On-site protection measures of the GT’s will be evaluated by ECS, FWC, and EPD staff to evaluate and determine the appropriate measures to ensure survivorship. This may result in requiring the applicant to obtain FWC permit approval to relocate the GT’s to approved Conservation Banks. All GT and any other listed species shall comply with applicable State and County regulations, performance standards, and management guidelines.



Conservation Management Area (CMA) ***(ULDC - Sec. 406.95)***

During PDP phase, the locations and boundaries of designated CMA’s are evaluated for the presence of appropriate intact vegetation, including canopy, understory, and groundcover where applicable, in functional, clustered arrangement, with logical contiguous boundaries to eliminate or minimize fragmentation to the greatest extent practicable. Where alternative sites exist, the site or sites selected for onsite protection shall be the

best suited to preserve ecological integrity, maximize use by wildlife and maintain the long-term viability of natural plant or animal communities. The determination are primarily based upon the following conditions:

- * *Function and value of natural resources;*
- * *Quality and condition of natural resources;*
- * *Protectability and manageability;*
- * *Size and shape (emphasis should be on avoiding enclaves of development or areas; fragmented by development; and, on providing, where appropriate, adequate buffers from the secondary impacts of development and adequate wildlife corridors);*
- * *Contiguity with adjacent existing habitat, functional wetland system, floodplain, or habitat corridor;*
- * *Existing species population sizes and life history requirements;*
- * *Proximity and accessibility to other populations of the same species;*
- * *Compatibility of conservation with adjacent land uses; and*
- * *Recommendations from the Florida Fish and Wildlife Conservation Commission and other appropriate agencies.*

As previously depicted, if this proposed project proceeds into the PDP phase, with possibly the exception of the 1.5-2.0 acres along the southeastern SE boundary, the anticipated CMA designation would be the associated +/- 31 acres depicted within the SE overlay (above figure). If that occurs, the protection and enhancement of the associated habitats will be addressed within a *CMA Management Plan* and associated *Conservation Easement*.

Department of Public Works

PW has no issues to allowing the CPA/rezoning.

The following comments will need to be addressed at Development Review Committee review level.

The parcel has FEMA designated 100-year flood plain on the property and will be evaluated per Chapter 406 Article VII Flood Hazard areas of the Land development Code.

The property will be evaluated for stormwater basin requirements for stormwater quantity per Chapter 407 Article IX Stormwater Management of the Land development Code .

The driveway connections to SE 51st Street and Lakeshore Drive will be evaluated per Chapter 407 Article XIII Access Management and Street network standards of the Land development Code.

Transportation

No comment.

Fire/Rescue

No comment.