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300 E. University Avenue, Suite 110
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Tel: (352) 335-8442
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March 20, 2019

Missy Daniels, Acting Director
Alachua County Growth Management
10 SW 2nd Avenue, Third Floor
Gainesville FL 32601-6294

Re: Proposed Comprehensive Plan Amendment to Future Land Use Element Policy
2.2.1 (e) for Springhills TODs & TND

Dear Missy:

The enclosed comprehensive plan amendment application is submitted by this firm on behalf of PR Gainesville Ltd Partnership (PR Gainesville) requesting a text amendment to Future Land Use Element (FLUE) 2.2.1 (e). Also enclosed is a check in the amount of \$8,500 made payable to Alachua County BOCC for the required filing fee.

As you know, the Springhills TODs & TND development (Springhills development) is governed by FLUE 2.2.1 (e) and received Preliminary Development Plan (PDP) approval by the Board of County Commissioners through adoption of Resolution DR-14-22. The properties governed by FLUE Policy 2.2.1 (e) are enumerated within the policy by reference to thirteen tax parcel numbers. At the time of adoption of FLUE Policy 2.2.1 (e), tax parcel 06038-000-000 lying within the northeast quadrant of the PDP contained 149.8 acres and included the three outparcels within the Springhills Shopping Center. Since adoption of FLUE Policy 2.2.1 (e), the three outparcels have been given separate tax parcel numbers. As a result, the delineation of properties governed by FLUE Policy 2.2.1 (e) in the comprehensive plan no longer includes the three outparcels which could create confusion in the future.

The first purpose served by this application is to add the new tax parcel numbers to those itemized at FLUE Policy 2.2.1 (e) thereby removing any ambiguity regarding the policy's application to the new tax parcels.

The second purpose for this application is to remove the two out parcels (06038-025-000 and 06038-026-000) fronting NW 39th Avenue from the ambit of FLUE Policy 2.2.1 (e)(2) c. which requires adoption of a developer agreement before approval of any final development plans for the entire Springhills development. This proposal does not relieve the outparcels from any obligations under FLUE Policy 2.2.1. All substantive TOD

development requirements remain unchanged. The sole difference, if approved, is the *timing* for development of the two out parcels.

As the county is aware, PR Gainesville has been marketing its Alachua County real estate for sale. That includes the properties governed by FLUE Policy 2.2.1(e) plus significant acreage within the southwest quadrant of the activity center. The outparcels within the Springhills Shopping Center, particularly the two fronting NW 39th Avenue, proved to be the most marketable properties with contracts for sale secured quickly with two buyers. Later, a contract for sale was entered with a third party covering the remainder of the PR Gainesville properties.

The novelty and sheer complexity of the FLUE Policy 2.2.1(e) requirements insures a prolonged due diligence period is required for the third buyer, during which PR Gainesville is contractually prevented from executing the required developer agreement. Until the developer agreement is executed, sale of the two outparcels is effectively prevented. This application is submitted to allow final development approvals to be obtained for the two outparcels during the pendency of the prolonged due diligence period necessarily afforded the third buyer.

As noted above, the proposed amendment only effects the *timing* for development of the two outparcels. It does not alter in any way, application of the substantive requirements of FLUE Policy 2.2.1(e) to the outparcels. The sole effect is to allow final development plan approvals and construction to proceed on the two outparcels without regard to the timing for approval of the developer agreement called for in FLUE Policy 2.2.1(e)(2).

The following revisions are proposed to FLUE Policy 2.2.1(e):

Policy 2.2.1 Activity Center Plan -- Springhills

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-
-
- (e) The requirements of this paragraph supersede paragraphs (a) through (d) above for development within the area designated "Mixed Use" in the northeast, northwest, and southeast quadrants of the Activity Center consisting of tax parcels 06038-004-000, 06038-000-000, 06038-000-001, 06038-002-000, 06038-001-000, 06038-023-000, 06038-022-000, 06038-022-003, 06233-010-011, 06233-001-000, 06233-001-001, 06233-010-004, 06233-010-010, 06038-024-000, 06038-025-000 and 06038-026-000. These parcels shall be developed as Transit Oriented Developments and, where appropriate, Traditional Neighborhood Developments. Developments shall be allowed through Development Plan approval. Development of the site shall adhere to the following standards:

Missy Daniels, Acting Director
Alachua County Growth Management
March 20, 2019
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• • •
(2) Transportation:

• • •
c. Prior to approval of any final development plan on tax parcels 06038-004-000, 06038-000-000, 06038-000-001, 06038-002-000, 06038-001-000, 06038-023-000, 06038-022-000, 06038-022-003, 06233-010-011, 06233-001-000, 06233-001-001, 06233-010-004, 06233-010-010 and 06038-024-000, the developer shall enter into an agreement with the County assuring:

• • •

Again, the intent of the proposed revisions is to include the new tax parcels among the enumerated tax parcels governed by FLUE Policy 2.2.1 (e) and to limit the application of FLUE Policy 2.2.1 (e)(2) c. to all of the tax parcels except the two outparcels fronting NW 39th Avenue.

Please let me know if you need any additional information from this firm regarding this application.

Sincerely,


C. David Coffey
Attorney at Law

Copy: Joshua Schrier, Vice President, Pennsylvania Real Estate Investment Trust
Enc: As stated



Alachua County, Board of County Commissioners
Department of Growth Management
10 SW 2nd Ave., Gainesville, FL 32601
Tel. 352.374.5249, Fax. 352.338.3224
<http://growth-management.alachuacounty.us>

Submit Application to:
Development Services Division

COMPREHENSIVE PLAN AMENDMENT APPLICATION

GENERAL INFORMATION (BY APPLICANT/ AGENT)

Applicant/Agent: C. David Coffey, Esq. Contact Person: David Coffey
Address: 300 East University Avenue, Suite 110, Gainesville, FL 32601 Phone: (352) 335 - 8442
Email address: david@dcoffeylaw.net

SUBJECT PROPERTY DESCRIPTION

Property Owner: PR Gainesville Ltd Partnership Property Address: 200 South Broad Street, Third Floor
City: Philadelphia State: PA Zip: 19102 Phone: (215) 875 - 0436
Tax Parcel #: _____ - _____ - _____ Section: _____ Township: _____ Range: _____ Grant: _____
Total Acreage: _____ Zoning: _____ Land Use: _____

TYPE OF REQUEST

- ☐ Small-Scale Map Amendment From: _____ To: _____
- ☐ Large-Scale Map Amendment From: _____ To: _____
- ☒ Text Amendment For: Future Land Use Element Policy 2.2.1(e)

CERTIFICATION

I, the undersigned applicant, hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief. I hereby grant the appropriate County personnel permission to enter the subject property during reasonable hours so that they may investigate and review this zoning request.

Signature of Applicant/Agent: _____

Date: 3/18/19

Applications shall be submitted no later than 4:00 PM on the submittal deadline date



REQUIRED ATTACHMENTS

The following items must accompany your application at the time of submittal. No applications will be accepted without these attachments. Please submit the application fee, check made payable to Alachua County Board of County Commissioners, one paper copy and one digital copy of the following:

Small-Scale Map Amendments

- ☐ Proof of neighborhood workshop
- ☐ Legal description
- ☐ Property Owner's Affidavit, notarized
- ☐ Proof of payment of taxes on all parcels
- ☐ Detailed directions to the site
- ☐ Detailed description of request and an explanation of the reason for the requested amendment
- ☐ Survey or scaled drawing of property showing boundaries of property and adjacent properties, roads, easements, and all structures on site
- ☐ Written analysis of consistency with the relevant policies of the Comprehensive Plan, including the activity center policies, where applicable
- ☐ Market Study, where applicable. The market study shall identify a market area for the location of the proposed amendment. It shall document the need for the uses allowed by the proposed amendment through an analysis of factors in the market area, including population projections, existing uses, and zoning and future land use designation of undeveloped areas.
- ☐ Environmental Resources Checklist, conducted by a qualified professional (certain requests may require a more extensive natural resources assessment)

Large-Scale Map Amendments

In addition to the above requirements for a small-scale map amendment, the following:

- ☐ Facilities Impact Study, describing the impact of the proposed amendment on public facilities and services. All service areas shall be noted as well as current availability, capacity, demand, and level of service. The effect of the amendment on the demand and level of service shall be indicated based on professionally accepted and documented methodologies. All improvements or new facilities planned by the County or other entities that may have an impact on the amendment shall be discussed.

Text Amendments

- ☒ Detailed description of request and an explanation of the reason for the requested amendment., including any proposed new text or changes to existing text.



Alachua County, Board of County Commissioners
Department of Growth Management
10 SW 2nd Ave., Gainesville, FL 32601
Tel. 352.374.5249, Fax. 352.338.3224
<http://growth-management.alachuacounty.us>

Submit Application to:
Development Services Division

PROPERTY OWNERS' AFFIDAVIT

PR Gainesville Ltd Partnership

Owner

Application No.

Additional Owners

C. David Coffey, Esq.

Appointed Agent(s)

Parcel Number(s)

Section

Township

Range

Text Amendment to Comp Plan Future Land Use Element Policy 2.2.1(e) for Springhills TODs & TND

Type of Request

I (we), the property owner(s) of the subject property, being duly sworn, depose and say the following:

1. That I am (we are) the owner(s) and record title holder(s) of the property described in the attached legal description;
2. That this property constitutes the property for which the above noted land use request is being made to the Alachua County Board of County Commissioners;
3. That I (we), the undersigned, have appointed, and do appoint, the above noted person(s) as my (our) agent(s) to execute any agreement(s), and other documents necessary to effectuate such agreement(s) in the process of pursuing the aforementioned land use request;
4. That this affidavit has been executed to induce the Alachua County Board of County Commissioners to consider and act on the subject request;
5. That I (we), the undersigned authority, hereby certify that the foregoing statements are true and correct.

Owner (signature)

Owner (signature)

Owner (signature)

STATE OF FLORIDA
COUNTY OF ALACHUA

SWORN AND SUBSCRIBED BEFORE ME

THIS 13 DAY OF March, 2019

BY Andrew Iannoni

WHO IS/ARE PERSONALLY KNOWN TO ME OR HAS/HAVE PRODUCED AS IDENTIFICATION

personal knowledge

(TYPE OF IDENTIFICATION)

(SEAL ABOVE)

Erin Gautsche
Erin Gautsche

Notary Public, Commission No. _____

(Name of Notary typed, printed, or stamped)

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL

Erin Gautsche, Notary Public
City of Philadelphia, Philadelphia County
My Commission Expires Oct. 2, 2021

MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES



C. David Coffey, P.A.
Iota Account
5346 SW 91st Terrace
Gainesville, FL 32608
(352) 335-8442

MERCHANTS & SOUTHERN BANK
GAINESVILLE, FL 32607
63-673/631

1219

3/20/2019

PAY TO THE
ORDER OF

Alachua County BOCC

\$**8,500.00

Eight Thousand Five Hundred and 00/100*****

DOLLARS



Alachua Co. Board of County Commissioners
Department of Growth Management
10 SW 2nd Avenue
Gainesville, FL 32601

C. David Coffey MP

MEMO

Spring Hills CPA

⑈001219⑈ ⑆063106734⑆

00106502⑈

C. David Coffey, P.A. / Iota Account

1219

Alachua County BOCC
Trust Monies Owed:PREIT

Spring Hills CPA

3/20/2019

8,500.00