

## Jeffrey L. Hays

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**From:** stephen.tilbrook@akerman.com  
**Sent:** Wednesday, November 13, 2019 12:13 PM  
**To:** Jeffrey L. Hays; Corbin Hanson  
**Cc:** Mehdi Benkhatar; Missy Daniels  
**Subject:** Memorandum to Support Party Status (Applications CPA-05-19 and ZOM-12-19)

Dear Mr. Hays and Mr. Hanson:

Thank you for speaking with me previously regarding Applications CPA-05-19 and ZOM-12-19 as submitted on behalf of the Fourteenth Street Church of Christ.

Our firm represents West Shore Legacy, LLC, the owner of an adjacent property.

We intend to request recognition as a Party at the Planning Commission hearing next week. Please find attached our legal memorandum and research to support the assertion of Party status.

Please share this information with the Planning Commission members before the meeting.

Thank you for your consideration in this regard.

Steve Tilbrook

### Stephen Tilbrook

Partner

Akerman LLP | 350 East Las Olas Boulevard, Suite 1600 | Ft. Lauderdale, FL 33301

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**From:** Tilbrook, Stephen (Ptnr-Ftl)  
**Sent:** Thursday, November 7, 2019 3:52 PM  
**To:** 'Jeffrey L. Hays' <jhays@alachuacounty.us>  
**Cc:** Rasnick, Carmen (Orl) <carmen.rasnick@akerman.com>; Mehdi Benkhatar <mbenkhatar@alachuacounty.us>; Corbin Hanson <cfhanson@alachuacounty.us>; Missy Daniels <MDaniels@AlachuaCounty.US>  
**Subject:** RE: Request for Access to Public Information

Thank you Mr. Hays.

Best wishes,  
Steve Tilbrook

### Stephen Tilbrook

Partner

Akerman LLP | 350 East Las Olas Boulevard, Suite 1600 | Ft. Lauderdale, FL 33301

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[stephen.tilbrook@akerman.com](mailto:stephen.tilbrook@akerman.com)

## Memorandum

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From: Alicia Bhambhani, Esq.  
To: Stephen K. Tilbrook, Esq.  
Date: November 11, 2019  
Subject: Standing in Quasi-Judicial Zoning Proceedings in Florida

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### I. Question Presented

Whether West Shore Legacy, LLC ("West Shore"), as the owner of real property across the street from the Subject Property<sup>1</sup>, is entitled to assert party status and standing at the upcoming hearings for Alachua County Development Applications CPA-05-19 and ZOM-12-19 ("Applications") as submitted by Fourteenth Church of Christ ("Applicant").

### II. Short Answer

Yes. As West Shore owns property in close proximity to the property to be rezoned, has received mailed notice pursuant to Section 402.12, Alachua County Code of Ordinances, and is vested in the existing character of the neighborhood, West Shore has standing and is entitled to assert party status in the hearings for the Applications.

### III. Background

The Applicant has submitted applications to Alachua County to change the future land use designation for the Subject Property from Institutional to Medium-High Density Residential, and to change the zoning for the Subject Property from Planned Development and R-1a to R-2a (residential, 8 to 14 dwelling units/acre). Pursuant to Section 402.12,

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<sup>1</sup> A parcel in Alachua County that is approximately 25.64 acres located at 1404 Fort Clarke Boulevard; see Alachua County Development Applications ZOM-12-19 and CPA-05-19 for additional descriptions.

Alachua County Code, the Applicant sent mail notice to property owners within 500 feet of the Subject Property.

West Shore is the owner of the property located at 1505 Fort Clarke Boulevard, which is also known as Legacy at Fort Clark. West Shore received a mail notice of the pending Applications and the hearing before the Planning Council.

Generally, third parties must establish standing under the "special injury test"<sup>2</sup> that requires the party challenging a development order to show special damages peculiar to the party, which differ in kind (not degree), to the damages suffered by the community as a whole. It is well established that neighboring property owners affected by zoning changes have standing to challenge the changes<sup>3</sup>. It is clear that West Shore meets the requirements of the "special injury test." In regards to development orders that may be inconsistent with local comprehensive plans, Florida Statutes address the issue of standing with a more liberal standard, allowing aggrieved or adversely affected parties to have a statutory right to standing in such proceedings.

#### IV. Case Law – Third Party Standing

Historically, courts in Florida have determined whether there is standing to enforce a valid zoning ordinance using the rule created in Boucher v. Novotny, 102 So.2d 132 (Fla. 1958). In Boucher the court looked at whether an injury was caused to a particular citizen that was different in kind from the injury suffered by the people of the community as a whole.

This test was, due to changing conditions, further expounded upon in Renard v. Dade County, 261 So.2d 832 (Fla. 1972), and given a more lenient interpretation. In Renard, the Florida Supreme Court listed several factors to be considered as to whether a party's interest is sufficient to determine standing, these factors include:

- (1) Proximity of the property to the property to be zoned or rezoned;
- (2) Character of the neighborhood, including the existence of common restrictive covenants or setback requirements;
- (3) Type of proposed change; or
- (4) Whether a person is among those entitled to receive notice under the zoning ordinance<sup>4</sup>.

Generally, adjoining or nearby landowners are more likely to suffer special damages as a result of a zoning ordinance violation than other members of the community

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<sup>2</sup> Renard v. Dade County, 261 So. 2d. 832 (Fla. 1972).

<sup>3</sup> City of St. Petersburg, Bd. of Adjustment v. Marelli, 728 So. 2d 1197, 1198 (Fla. Dis. Ct. App. 1999).

<sup>4</sup> Renard at 837.



at large<sup>5</sup>. The "special injury test" allows for property owners who will suffer particular injuries to obtain standing and participate in local quasi-judicial proceedings to protect their interests.

West Shore is a clear example of a property owner who will be greatly affected by the Applications, easily fulfills the requirements of the "special interests test," and is therefore entitled to standing and party status in any hearings regarding the Applications. The notice factor is particularly significant in this calculation; a property owner who is required by ordinance to receive mailed notice has already been identified by the local authorities as one whose property is likely to be significantly affected by proposed zoning modifications. In regards to the current circumstances, West Shore is located in close proximity to the property that is to be zoned or rezoned; the Applications would significantly alter the character of the neighborhood by increasing the allowed residential density and changing the future use from industrial to residential; the types of proposed changes are significant as they involve not only rezoning the Subject Property but also involve amendments to the Alachua County Comprehensive Plan; and West Shore is among those required to receive notice pursuant to Section 402.12, Alachua County Code of Ordinances.

V. Standing in regards to Enforcement of Local Comprehensive Plans

In 1985, the Florida Legislature adopted the Growth Management Act of 1985, which devised a statutory system to ensure that all counties have a comprehensive plan for development while also relaxing the requirements on standing for citizens to enforce comprehensive land use plans<sup>6</sup>. In its current form, §163.3215, Florida Statutes, describes the requirements for a party of have standing to enforce local comprehensive plans through development orders<sup>7</sup>. This statutory provision was enacted to enlarge the class of persons with standing to challenge development orders as inconsistent with local comprehensive land use plans<sup>8</sup>. Aggrieved or adversely affected parties may appeal and/or challenge the consistency of a development order with a comprehensive plan in the matter provided by §163.3215, Florida Statutes.

§163.3215(2), Florida Statutes, defines the term "aggrieved or adversely affected party" as:

Any person or local government that will suffer an adverse effect to an interest protected or furthered by the local government comprehensive plan, including interests related to health and safety,

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<sup>5</sup> *Id.* at 4.

<sup>6</sup> See Pinecrest Lakes Inc. v. Shidel, 795 So.2d 191, 207 (Fla. Dist. Ct. App. 2001).

<sup>7</sup> §163.3164, Florida Statutes, defines "development order" as any order granting, denying, or granting with conditions an application for development permit.

<sup>8</sup> See Save Homosass River Alliance, Inc. v. Citrus County, Fla. 2 SO. 3d. 329, 336 (Fla. Dis. Ct. App. 2008).

police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services, and environmental or natural resources. The alleged adverse interest may be shared in common with other members of the community at large but must exceed in degree the general interest in community good shared by all persons. The term includes the owner, developer or applicant for a development order.

Citizen enforcement is considered to be the primary tool for insuring the consistency of development decisions with comprehensive plans. In this case, West Shore also meets the criteria for standing as set forth in Section 163.3215(2), Florida Statutes.

VI. Conclusion

Based upon the analysis set forth herein, it is my conclusion that West Shore meets the criteria for standing and party status for the Applications and subsequent proceedings. West Shore owns nearby property; West Shore received notice per the relevant zoning ordinance; and West Shore is likely to be substantially impacted by the Applications. Accordingly, West Shore is entitled to standing and party status in any proceedings associated with the Applications, with the full due process rights of any other party.

**Jeffrey L. Hays**

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**From:** Heather Gilliam <heathergilliam59@gmail.com>  
**Sent:** Tuesday, November 12, 2019 8:24 PM  
**To:** Planning  
**Subject:** Objection to zoning

Applicaton #CPA-05-19

I would like to stress my objection to the zoning for the above stated application. Allowing this type of zoning will create severe traffic problems above what already currently exists. The homeowners of Eagle Point already experience these issues & should not be subjected to any more problems in this area. If this traffic becomes more congested, homeowners will be forced to move, bringing down home values in this area of Gainesville. This is exactly what should be avoided with this volatile market. Please take my objection into consideration.

**Jeffrey L. Hays**

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**From:** Ning Yang <ningyangy@gmail.com>  
**Sent:** Tuesday, November 12, 2019 5:18 PM  
**To:** Planning  
**Subject:** object to rezoning requests #CPA-05-19 & #ZOM-12-19

Dear Sir or Madam,

As a property owner at 1138 NW 89 Dr, Gainesville, FL32606, I strongly object to the rezoning request #CPA-05-19 and #ZOM-12-19. The Eagle Point community is the highest density community in this area, it is NOT acceptable to build a higher density apartment in the proposed site. This will affect our property value, cause the drainage and flooding issues. It will worsen the traffic as it is near the Hidden Oak Elementary School and Ft. Clarke Middle School. And even worse, it will make the students who walk/bike to the school in very dangerous circumstances. Please stop rezoning this site.

Sincerely yours,

Ning Yang

**Jeffrey L. Hays**

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**From:** Jorge Vera <jvimage@gmail.com>  
**Sent:** Monday, November 11, 2019 9:05 PM  
**To:** Planning  
**Subject:** Opposition to Zoning Application ZOM-12-19

Dear Commissioners,

I live in Eagle Point and strongly object to zoning application ZOM-12-19 and to the proposed development.

The short stretch of Ft. Clarke Blvd, between Newberry Rd. and NW 23rd Avenue cannot support another multi family development.

There's already inadequate road infrastructure to accommodate access to and from our subdivision during the school year.

The newly completed rental development on NW 98th & NW 23rd Avenue has already had a negative impact on Ft. Clarke Blvd traffic-affecting pedestrian children and adult safety.

Further compromising ingress and egress to the existing developments would most likely create a safety risk-endangering the wellbeing of the current population by limiting access to emergency/fire response vehicles.

In addition to this, Hidden Oak Elementary and Fort Clarke Middle schools already cannot accommodate additional student population.

Please listen to area residents and vote NO to the zoning application.

Our neighborhood coalition/voting constituency is monitoring the situation closely to ensure that ZOM-12-19 is not allowed.

Jorge Vera

1401 NW 90th Ter.  
Gainesville, Florida 32606

**Jeffrey L. Hays**

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**From:** B Drake <bdrake8112@gmail.com>  
**Sent:** Monday, November 11, 2019 7:46 PM  
**To:** Planning  
**Cc:** Jorge Vera  
**Subject:** Opposition to Zoning Application ZOM-12-19

Dear Commissioners,

I live in Eagle Point and I strongly object to zoning application ZOM-12-19 and to the proposed development.

Our neighborhood cannot support another apartment complex. The infrastructure is inadequate and will make it impossible to get in and out of our subdivision on Fort Clarke Boulevard. The traffic is already unsustainable.

In addition, the schools cannot accommodate more students.

Please listen to residents and vote NO to the zoning application.

---Barbara Drake  
1401 N 90th Terrace  
Gainesville, FL 21606

cc: Jorge Vera

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Barbara Drake

## Jeffrey L. Hays

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**From:** Patrick Horne <patrickandmelissa@me.com>  
**Sent:** Monday, November 11, 2019 3:35 PM  
**To:** Planning  
**Subject:** #CPA-05-19

To Whom it May Concern,

We are residents of Eagle Point, and have lived here since 2008. When we purchased our home, the property in question was vacant, and acts as a sound barrier between our home and Fort Clarke Boulevard. We chose this neighborhood to raise our family in because it was quiet and secluded.

Allowing this land to be developed and used for medium high-density housing would put unnecessary burdens on Ft. Clarke Boulevard and the surrounding streets. It would erode the tranquil and safe environment in which we want to raise our family. It will also put further strain on the local schools, who are already operating above capacity.

Therefore, we are opposed to this land being developed and used for medium high-density housing. Instead we propose the county could use funds from the Wild Spaces and Public Places program to purchase this land and use it to create a county park that could be utilized by Eagle Point and the surrounding neighborhoods. Please take our concerns seriously, as this will directly impact us, our children, our local infrastructure and the investment that we made in our home.

Thank you,

Patrick and Melissa Horne

**Jeffrey L. Hays**

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**From:** sfairholm@globalgolfpost.com  
**Sent:** Saturday, November 9, 2019 7:38 AM  
**To:** Planning  
**Subject:** Zoning Application #ZOM-12-19

To Whom It May Concern:

My name is Sean Fairholm, and my wife and I just bought a home in the Eagle Point neighborhood off of Fort Clarke Blvd.

We are realists and fully understand the inevitability of more apartment complexes being built in Gainesville, so I would be foolish to argue against something being built. However, I do believe it is in everyone's best interest to keep the property in question to 4-8 dwelling units per acre rather than rezoning it for 8-14 dwelling units per acre.

The current infrastructure in place, namely Fort Clarke Blvd., is on its way to becoming dangerous. We struggle to make a left out of our complex in the morning and are stuck in bumper to bumper traffic for several minutes. Even in current conditions, the entrance to our neighborhood is desperate for a traffic light to better manage the flow of cars. This is not even mentioning the complete mayhem of Newberry Rd. just west of 75. The current setup of both roads will crumble under the burden of 500+ additional vehicles calling this area home.

One of the other reasons we moved here was for the elementary school and middle school close by. Our understanding is that there is no additional space remaining — Hidden Oak can't even fit one more portable on property.

Lastly, we are legitimately concerned with an increase in crime. Since we have moved in, there have been multiple reports of cars being broken into by residents of nearby apartments. This is a nice neighborhood and we don't want to see crime rise to unmanageable heights.

We hope you hear our plea for a compromise and consider minimizing the impact we will feel in our community.

Thank you,  
Sean and Anja Fairholm



## Jeffrey L. Hays

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**From:** Kate C <kcarter2468@gmail.com>  
**Sent:** Friday, November 8, 2019 3:38 PM  
**To:** Planning  
**Subject:** Fwd: Concern re: zoning application #ZOM-12-19

To whom it may concern:

We are re-sending our concerns as this hearing was rescheduled. Per the latest letter, comments are due by Tuesday, November 12th, 2019 by 5:00pm. Please include our correspondence as an official response to the zoning application ZOM-12-19.

Thank you,  
Edward and Kate Carter

----- Forwarded message -----

**From:** Kate C <[kcarter2468@gmail.com](mailto:kcarter2468@gmail.com)>  
**Date:** Mon, Oct 7, 2019 at 10:56 AM  
**Subject:** Concern re: zoning application #ZOM-12-19  
**To:** [planning@alachuacounty.us](mailto:planning@alachuacounty.us) <[planning@alachuacounty.us](mailto:planning@alachuacounty.us)>

To whom it may concern:

We are residents of Eagle Point neighborhood on Ft Clarke Blvd. We are writing to strongly oppose the request in this application to re-zone this property as high-density.

We request this application to be denied for many reasons: this will negatively impact our home values, the inability of the roads to handle the significant increase in traffic, potential for increased crime and added burden due to school traffic.

Just this morning, we left at around 8:00. Ft Clarke Blvd was backed-up the entire length of the road from 23rd and onto Newberry Road. It's almost impossible for us to turn out of our neighborhood as it is during morning traffic. Further, when we drive our children to afternoon activities. It is already part of our plans to sit through two to three cycles of the light at Newberry and Ft Clarke to turn left toward town (which is already unacceptable). This road simply cannot handle a high density apartment complex added....there are already two apartment complexes on this road.

Building a high-density apartment complex that literally backs up to many homes and yards will significantly decrease property values. This is not right and should not be allowed to happen.

Please take our concerns and those of all of the families in our neighborhood seriously. This directly impacts us, our children, the investments we made in our homes and the overall efficiency of how traffic can move along Ft Clarke Blvd. This has been a very active topic in our neighborhood forum, and not one person has indicated any support for this.

Thank you,  
Edward and Kate Carter

**Jeffrey L. Hays**

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**From:** Freytes, Ivette M. <Ivette.Freytes@va.gov>  
**Sent:** Friday, November 8, 2019 2:28 PM  
**To:** Planning  
**Subject:** Public Input rezoning of 06326-001-000 parcel  
**Attachments:** Alachua County Planning Committee Letter Nov 2019.docx

Please, see attached.

*Magaly Freytes, Ph.D.*

Research Health Scientist  
NF/SG Veterans Health System  
Geriatric Research Education Clinical Center  
Research Service  
(352) 264-3836 ext. 201240

**Jeffrey L. Hays**

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**From:** Q Xue <x2006lj@gmail.com>  
**Sent:** Friday, November 8, 2019 12:22 PM  
**To:** Planning  
**Subject:** Objection to rezoning application # CPA-05-19 and # ZOM-12-19

Dear Sir or Madam,

This is Mr. Qingshan Xue at 8813 NW 10<sup>th</sup> Pl., Gainesville FL 32606. I've reviewed the letter from Alachua County Department of Growth Management, Office of Planning and Development, dated on November 4, 2019, regarding the rezoning application # CPA-05-19 and # ZOM-12-19. As owner of property within the vicinity of the area covered by this request, I strongly object to this rezoning application. The reason of my objection is that this area has already high density of population with traffic jams on school days which is directly affecting the nearby school functioning, therefore the rezoning plan will put more burden on the already-very-bad traffic situation and school environment.

Sincerely yours,

Qingshan Xue

## Jeffrey L. Hays

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**From:** James Paul Sain <jim@isomuse.com>  
**Sent:** Thursday, November 7, 2019 9:00 PM  
**To:** Planning  
**Subject:** Fourteenth Street Church of Christ CPA-05-19 & ZOM-12-19

To Whom It May Concern:

Re: Zoning Application: #ZOM-12-19 & CPA-05-19 (and any additional by same applicant)

I note the meeting date and time have been changed regarding this topic so I am resend my previous email to ensure it is considered by the planning commission. Thank you for your attention to this matter.

I am writing to express my deepest concerns regarding the request to rezone the property owned by Fourteenth Street Church of Christ CPA (CPA-05-19) on Ft. Clarke Blvd. I implore you to retain the zoning of Institutional and not move forward with the requested change to Medium High Density Residential. I do so for the following reasons:

- 1) the "trips" on Ft. Clarke Blvd already surpass the capacity of that road and those surrounding. It is often exceedingly difficult to exit my housing development, Eagle Point, especially during peak morning and evening hours. People already use our housing development as a make-shift parking lot for the local public schools. With the recent addition of the apartments on the corner of 23rd Ave and 98th St. our attempts to get to work in a reasonable amount of time is thwarted by congestion at the intersections of Ft. Clarke Blvd and Newberry Rd. AND Ft. Clarke and 23rd Ave. A 7 mile trip to work at the university is often 45 mins during peak usage. Unfortunately, only one bus route passes our house, #23, and that can take 1-2 hours to travel to/from the university with transfers (there is no direct route to UF), traffic and stops.
- 2) In the nearly 20 years we have lived in the Eagle Point subdivision, road improvements to increase capacity on Ft. Clarke Blvd and surrounding arteries have been nil. This includes a flooding problem across Ft. Clarke Blvd that has trapped many residents in our subdivision after major rains (hurricanes and tropical storms). There is only one point of egress from the Eagle Point housing development.
- 3) There is currently no shortage to affordable housing in our area. Simply put, the apartments are no needed.
- 4) When we've had break-ins and thefts, most of these occurrences have been traced to the apartments across the street. Transient populations to not mix well with single family homes.
- 5) In purchasing our home we did our homework to see what amenities were present (schools, shopping, etc) and what the zoning was for the surrounding properties. The mix and density seemed appropriate for the area. We understood the property in question was owned by a church and zoned appropriately for such an institution. We looked forward to that addition to our community culture. To change that zoning to "Medium High Density Residential" would change the planning and thought put forth by our county officials in favor of an individual seller. And, it would likely reduce the property values of the numerous single-family homes in proximity to the potential transient accommodations.

We did our due diligence when purchasing our home in Eagle Point. I encourage you to do the same and deny this application for zoning change.

Best regards  
Dr. James Paul Sain

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dr. james paul sain  
professor of music  
university of florida school of music  
president emeritus, society of composers inc.  
jsain@ufl.edu • <http://jamespaulsain.com/>  
352.273.3176 voice • 352.392.0461 fax

**Jeffrey L. Hays**

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**From:** Timothy Stokes <timothystokes@me.com>  
**Sent:** Wednesday, November 6, 2019 10:22 PM  
**To:** Planning  
**Subject:** ZOM-12-19 & CPA-05-19

To whom it may concern,

We have lived in the Eagle Point neighborhood for over 17 years and wanted to voice our concerns about the upcoming vote on the zoning changes for the property along Fort Clarke Blvd. Please don't allow this to happen. The traffic is already pretty bad and the road conditions are constantly a problem. Any development would allow direct access to our backyard, since our home backs up to the property in question, and also opens up the neighborhood to more crime, which has been a growing problem. There's also quite a bit of wildlife in the area if that matters to any of you. Again, please deny the application for the zoning changes. Thank you.

Timothy Stokes and Albert Miller Jr

**Jeffrey L. Hays**

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**From:** Susan Swails <susanswails@hotmail.com>  
**Sent:** Wednesday, November 6, 2019 4:51 PM  
**To:** Planning  
**Cc:** Joe Swails  
**Subject:** Zoning application: ZOM-12-19

To Whom It May Concern:

We are residents of Eagle Point, and we have lived here since 1998. Eagle Point was established as a single-family residential neighborhood more than 25 years ago. At that time, Ft. Clarke Boulevard was a connecting road between Newberry Road and NW 23rd Avenue. When many of us began buying and building our family homes in this neighborhood, the property in question was vacant and plush with trees and foliage which served as a sound barrier between our homes and Ft. Clarke Boulevard. This was the quiet and secluded neighborhood we selected to raise our families.

Over those 20 years, two apartment complexes were developed, built, and occupied across the street on Ft. Clarke Boulevard. This has already overwhelmed the existing infrastructure for our roads and schools in addition to increasing the crime rate. We have had several burglaries where the culprits were found to be residents from one of these apartment complexes.

Allowing this land to be developed and used for additional medium high-density housing would put additional unnecessary burdens on Ft. Clarke Boulevard and the surrounding streets plus erode the tranquil and safe environment we depend on for our families. This was the existing environment that enticed us to buy and build our homes in this subdivision.

This was the ideal place to raise our families, and we want it to remain the same safe and nature-rich environment it is; therefore, we are opposed to this land being developed and used for medium high-density housing.

Thank you.  
Joe and Susan Swails

## Jeffrey L. Hays

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**From:** Mary Jane Volkmann <mjvartist@gmail.com>  
**Sent:** Wednesday, November 6, 2019 2:39 PM  
**To:** Planning  
**Subject:** Proposed zoning changes on 25 acres on Ft. Clarke Blvd.

The Planning Commission  
Alachua County

To Whom it May Concern;

We live in the Eagle Point subdivision off Fort Clarke Blvd. and are very concerned to learn that once again a proposal is being considered to rezone the 25 acres next to our subdivision to medium high density. If up to 14 dwelling units are to be allowed, that could mean 350 households and at 1.5 cars per household a further 525 cars on Fort Clarke Blvd. There are times of the day when we already struggle to get out of our subdivision. Roads are blocked in every direction and sometimes traffic is at a complete standstill. To add that many cars to roads that don't have the capacity to carry them doesn't make sense at all.

In addition, we already have problems with water runoff and some flooding issues. What is planned to add the additional water runoff from these new developments? What will happen to our neighborhood?

Further, can the local schools accommodate that many potential new students?

Additionally, adding that type of density to the property increases the likelihood that the type of people who may choose to live there might be temporary residents who may not care what the area looks like, what noise they make or where they walk, party or explore. We already have problems with some burglaries and strangers in the neighborhood which we believe can be traced to the apartments on the other side of Fort Clarke Blvd., apartments zoned for only up to 8 dwelling units per acre. How will we be affected with up to 350 additional households and that many more people bordering our neighborhood?

We invested in a home in Eagle Point in 2002 for several reasons. It was conveniently close to schools, it was far enough from town to be quiet yet close enough to get to town, and because it was safe for our families and especially our children. As such, we thought our investment would be protected, especially because of the zoning in place around us.

Since we occupied our home, the area between us and I-75 has been developed, trees have been taken down and not replaced, traffic has increased drastically, Large trucks use the commercially zoned area between us and I-75, there are more people on the streets, the number of people venturing into our neighborhood has increased and the amount of litter and volume of noise have both increased. Parents taking their children to school use the front of our subdivision as a parking lot at certain times of the day, even parking at the t-junction, further exacerbating the complications of driving in and out of our neighborhood. Recently new apartments have been occupied on NW 23rd, further congesting the roads as they drive to town on NW 23rd, creating a situation where all roads are completely full and it becomes almost impossible to get anywhere at certain times of the day. Often at certain times of the day we have to rely on someone's patience and thoughtfulness to allow us access out of our neighborhood onto Fort Clarke Blvd. ~ if we are able to get an opening in the traffic in the opposite direction.



Thus we are lodging our protest about the proposed changes to the zoning of the 25 acres on Fort Clarke Blvd. We ask you please to think about the residents already living in this community and not to burden them further.

Thank you.

Sincerely,  
Mary Jane Volkmann  
Eagle Point

## Jeffrey L. Hays

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**From:** stephen.tilbrook@akerman.com  
**Sent:** Thursday, October 31, 2019 5:56 PM  
**To:** Charles S. Chestnut IV; Robert Hutchinson; Mike Byerly; Marihelen Wheeler; Ken Cornell  
**Cc:** Gina Peebles; Mark Sexton; Michele Lieberman; James Harriott; Jeffrey L. Hays  
**Subject:** Opposition and Concern about CPA-05-19 and ZOM-12-19 (Fourteenth Street Church of Christ- 1404 Fort Clark Boulevard)

**Importance:** High

Dear Chair Chestnut, Vice-Chair Hutchinson and Members of the Board of County Commissioners, Alachua County, Florida:

Our firm represents West Shore Legacy, LLC, an owner of a residential community adjacent to the site at **1404 Fort Clark Boulevard** (Subject Property). The Subject Property is a 25 acre undeveloped and wooded parcel owned and operated by a church, and a developer is seeking to amend the Comprehensive Plan and rezone the Subject Property to allow a very intense level of development that is inappropriate for the residential area where the Property is located.

The Subject Property is currently zoned primarily R-1a (1-4 units per acre) and the developer is seeking to change the Comprehensive Plan and to rezone the property to R-2a (8-14 units per acre)- a dramatic increase in intensity. Although the Property is only 25 acres in size, the proposed rezoning would require a TND development plan that **provides up to 410 residential units and 267,500 sf of commercial use**.

The Subject Property is located in the Eagle Point single family neighborhood and directly adjacent to R-1a (single family) zoning on three sides. The proposed comp plan amendment and rezoning would allow for, and even require, a very intense level of multi-family development and commercial development that is simply not compatible with, nor consistent with, the existing residential neighborhood. Even at a very modest level of TND development, the development plan will **require over 1000 parking spaces and generate more than 4000 new daily trips on Fort Clark Boulevard** (an already overburdened two lane road).

We bring this to your attention, because we understand that the Alachua County planning staff may actually support this unbelievably intense level of development for a parcel located in a single family neighborhood. We are concerned about the impacts on the surrounding neighborhood, and the negative effects that this application will have on the adjacent residential communities. The proposed application and resulting intense development **is incompatible with adjacent residential uses, is inconsistent with development patterns in the community, is not suitable for the unique location of the Subject Property, and it will present a significant threat to the health, safety and welfare of the community**. For these reasons, we urge you to oppose the pending applications, and to send this project back to the drawing board, so the developer can envision a project that is more in keeping with the residential community where the property is located.

Thank you for your attention and consideration in this regard. (Also see attached a set of letters of objection already in the public record, mostly from residents of the surrounding neighborhood.)

### Stephen Tilbrook

Partner

Akerman LLP | 350 East Las Olas Boulevard, Suite 1600 | Ft. Lauderdale, FL 33301

D: 954 331 4132 | T: 954 463 2700 | F: 954 595 6815

[stephen.tilbrook@akerman.com](mailto:stephen.tilbrook@akerman.com)

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## Jeffrey L. Hays

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**From:** Sammons,David <sammons@ufl.edu>  
**Sent:** Wednesday, October 30, 2019 3:30 PM  
**To:** Planning  
**Cc:** rbsammons@cox.net; Sammons,David  
**Subject:** Fort Clarke Boulevard Corridor Development Proposal

October 30, 2019

To Whom It May Concern:

We write to register our strong opposition to the proposals for development along the Fort Clarke Boulevard Corridor. We speak specifically to the following items:

1. Zoning Applications #CPA-05-19 (Large Scale Comprehensive Plan Amendment)
2. ZOM-12-10 (Rezoning)

Our objections to the proposed development derive from several likely consequences if such development is allowed to go forward: 1) unacceptable traffic congestion; 2) undue burden on local schools; 3) heightened safety concerns, especially for children who attend those schools; and, 4) unnecessary additional retail space in this area of the county.

**Unacceptable Traffic Congestion:** In addition to significant local resident traffic, Ft. Clarke Boulevard has become a major through-street for non-residents headed north toward Santa Fe College and south toward West Newberry Avenue. Traffic on Ft. Clarke Boulevard continues to increase to levels that make it difficult for those of us living in adjacent neighborhoods to even get into or out of our neighborhoods. At certain times of day (especially during the morning rush hour), residents may have to wait as long as 5 minutes simply to turn onto Ft. Clarke Boulevard from our neighborhood entrances. The lineup of cars waiting to turn into or out of Hidden Oaks Elementary School, the slowdown caused by the 20-mph speed limit during school hours, and the crossing guards on Ft. Clarke Boulevard and at the corner of Ft. Clarke Boulevard and NW 23rd Street (who stop traffic to allow children and parents/guardians to safely cross the two roads) all create major log jams for anyone trying to get into or out of adjacent streets. The projected addition of as many as 700 more cars from new residents and untold numbers of cars traveling to the proposed new retail outlets will simply exacerbate this problem to the detriment of quality of life for current residents. Moreover, approval of the referenced plan will bring the county substantial additional costs for alleviating likely traffic congestion, including the possible addition of traffic lights, necessary widening of Ft. Clarke Boulevard, and more police patrol during school hours to ensure children's safety (see item below).

**Burden on Local Schools:** Two sizable schools, Hidden Oaks Elementary School and Ft. Clarke Middle School, are situated on or near Ft. Clarke Boulevard close to the proposed site for rezoning and development. These excellent schools are already overcrowded and significantly burdened by recent large increases in numbers of students because of earlier growth in our area (i.e., 23West apartments). A visit to these two schools will reveal that they are already being forced to use temporary classroom structures to accommodate current overcrowding. We question whether the developers have even considered the likely burden an additional 200-350 new dwellings will impose on these two schools? What specific measures, if any, have been discussed to alleviate even more overcrowding?

**Heightened Safety Concerns:** The sidewalks along Ft. Clarke Boulevard are already heavily used by pedestrians both for exercise/recreation and also, to a very significant extent, by schoolchildren and parents/guardians walking to and from school. The heavy pedestrian traffic creates a hazard for drivers as well as for the pedestrians themselves. Current

residents, especially our children, deserve your attention and protection as part of the deliberative process as the proposed development is considered.

Excessive Retail Space: We note that part of the developers' plans include retail space as required by the proposed rezoning request. This part of the plan strikes us as absolutely unnecessary. We already have sufficient retail space easily accessible from our area of Gainesville. Furthermore, there are numerous unused retail units in the nearby Oaks Mall and Newberry Square. Such unutilized space ought to be filled first before new retail space is even considered, much less built. The unused retail space is already rapidly becoming an eyesore. Additionally, we note that recent new retail space has been built near Santa Fe College (corner of 39th Avenue and 83rd Street). Simply put, we have no need of additional retail space, another reason that we oppose the development plan before you.

Our recommendation is that you deny this rezoning request, an affront to the current residential aspects of the Ft. Clarke Boulevard Corridor.

Dr. David Sammons  
Dr. Rebecca Sammons  
2005 NW 89th Drive (Chelsea Lane)  
Gainesville, Florida 32606  
Tel: (352) 331-4485  
Email: sammons@ufl.edu (David)  
rbsammons@cox.net (Rebecca)

**Jeffrey L. Hays**

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**From:** sfairholm@globalgolfpost.com  
**Sent:** Tuesday, October 29, 2019 3:16 PM  
**To:** Planning  
**Subject:** Rezoning of Parcel No. 06326-001-000

To Whom It May Concern:

My name is Sean Fairholm, and my wife and I just bought a home in the Eagle Point neighborhood off of Fort Clarke Blvd.

We are realists and fully understand the inevitability of more apartment complexes being built in Gainesville, so I would be foolish to argue against something being built. However, I do believe it is in everyone's best interest to keep the property in question to 4-8 dwelling units per acre rather than rezoning it for 8-14 dwelling units per acre.

The current infrastructure in place, namely Fort Clarke Blvd., is on its way to becoming dangerous. We struggle to make a left out of our complex in the morning and are stuck in bumper to bumper traffic for several minutes. Even in current conditions, the entrance to our neighborhood is desperate for a traffic light to better manage the flow of cars. This is not even mentioning the complete mayhem of Newberry Rd. just west of 75. The current setup of both roads will crumble under the burden of 500+ additional vehicles calling this area home.

One of the other reasons we moved here was for the elementary school and middle school close by. Our understanding is that there is no additional space remaining — Hidden Oak can't even fit one more portable on property.

Lastly, we are legitimately concerned with an increase in crime. Since we have moved in, there have been multiple reports of cars being broken into by residents of nearby apartments. This is a nice neighborhood and we don't want to see crime rise to unmanageable heights.

We hope you hear our plea for a compromise and consider minimizing the impact we will feel in our community.

Thank you,  
Sean and Anja Fairholm

## Jeffrey L. Hays

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**From:** Planning  
**Sent:** Thursday, October 24, 2019 11:18 AM  
**To:** Patricia Mcallister; Jeffrey L. Hays; Chris Dawson  
**Subject:** FW: Development on Fort Clark Blvd

Jeff or Chris we should respond to his infrastructure question. Patricia, this is another comment letter.

Missy Daniels, AICP  
Director, Growth Management  
352-374-5249  
[mdaniels@alachuacounty.us](mailto:mdaniels@alachuacounty.us)

**From:** Taylor LeCorgne <tlecorgne@gmail.com>  
**Sent:** Thursday, October 24, 2019 9:11 AM  
**To:** Planning <planning@alachuacounty.us>  
**Subject:** Development on Fort Clark Blvd

To whom it may concern,

I am writing in regard to the zoning application #CPA-05-19 and ZOM-12-10. I am a homeowner in the adjoining neighborhood, Eagle Point, and have heard chatter on the proposed rezoning and potential development of an apartment complex off of Fort Clark Blvd.

Let me say first growth is good. Gainesville has grown significantly since I moved here 11 years ago. Growth adds to our local economy, provides a larger workforce and creates new opportunities. I am not one to support Gainesville remaining a small town especially when the future of Gainesville is clearly to continue growing.

That being said, and the purpose of this email is to highlight that if we are to grow, then let us grow. If new apartments are planned to bring up to 1000 new residents then the infrastructure, i.e roads, should also grow. Fort Clark Blvd connects West Newberry Rd and NW 23rd Ave both of which have high traffic. NW 23rd Ave, in particular, is a one-lane road from Fort Clark Blvd to NW 55 St. If we are rezoning to allow for growth, then the expansion of roads should be mandatory to allow for managed growth. Without the growth of infrastructure to support the growth of residents, we lower the quality of life that I believe is Gainesville's greatest asset.

In summary, I am curious if there are plans to increase the surrounding infrastructure?

Thank you for your time,  
Taylor LeCorgne

## Jeffrey L. Hays

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**From:** Taylor LeCorgne <tlecorgne@gmail.com>  
**Sent:** Thursday, October 24, 2019 9:11 AM  
**To:** Planning  
**Subject:** Development on Fort Clark Blvd

To whom it may concern,

I am writing in regard to the zoning application #CPA-05-19 and ZOM-12-10. I am a homeowner in the adjoining neighborhood, Eagle Point, and have heard chatter on the proposed rezoning and potential development of an apartment complex off of Fort Clark Blvd.

Let me say first growth is good. Gainesville has grown significantly since I moved here 11 years ago. Growth adds to our local economy, provides a larger workforce and creates new opportunities. I am not one to support Gainesville remaining a small town especially when the future of Gainesville is clearly to continue growing.

That being said, and the purpose of this email is to highlight that if we are to grow, then let us grow. If new apartments are planned to bring up to 1000 new residents then the infrastructure, i.e roads, should also grow. Fort Clark Blvd connects West Newberry Rd and NW 23rd Ave both of which have high traffic. NW 23rd Ave, in particular, is a one-lane road from Fort Clark Blvd to NW 55 St. If we are rezoning to allow for growth, then the expansion of roads should be mandatory to allow for managed growth. Without the growth of infrastructure to support the growth of residents, we lower the quality of life that I believe is Gainesville's greatest asset.

In summary, I am curious if there are plans to increase the surrounding infrastructure?

Thank you for your time,  
Taylor LeCorgne



**Jeffrey L. Hays**

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**From:** cynthia harris <cyntharris335@yahoo.com>  
**Sent:** Tuesday, October 22, 2019 2:34 PM  
**To:** Planning  
**Subject:** Rezoning Applications #CPA-05-19, ZOM-12-10

To Who It May Concern:

I am requesting that the current zoning/comprehensive plan stay in place. If changes is to be made, I support up to 6 single family dwellings and a park only. If a recess pond is needed, I do not want it next to my home. This is why I purchase this land area when phase 3 was open to buyers. Traffic was less, but have increase greatly and more noisier.

Thank You.  
Cynthia Harris

## Jeffrey L. Hays

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**From:** Robert Ayres <rayres80@gmail.com>  
**Sent:** Wednesday, October 9, 2019 4:18 PM  
**To:** Planning  
**Subject:** Public hearings on rezoning of 06326-001-000 parcel

To whom it may concern:

I am writing about the upcoming meeting about rezoning parcel No. 06326-001-000, this parcel in question is currently zone R-1A institutional. The proposed zoning would change it to R-2A residential. Currently with it zoned for R-1A it would accommodate 102 additional home and changing it R-2A it would not accommodate over 300 homes. There are a few reasons that rezoning this area would not be wise.

1. Ft. Clarke Blvd is already very congested at times and can take minutes to turn out of the neighborhood.
2. West side of Alachua county is booming a lot quicker than east side of Alachua. The County Commission and Zoning need to push more developers to the east side of the county to help develop that area. We cannot keep saturating the west side of the county.
3. Increased crimes rates. All the R-2A zones in the surrounding area have more crime than the R-1A areas. This is the main reason why most of my neighbors bought our home where we did.
4. Traffic - Currently I have a 11.1 mile drive to work (SW Gainesville) from Eagle Point. This drive takes anywhere from 25 to 35 minutes in the morning. Over 50% of the drive time is between my home and I75 (2.5 miles). So the first 22.5% takes majority of my commute time. This will not improve due the massive expansion that is already happening around Parker Road and Westend.
5. The Eagle Point Neighborhood owns multiple retention ponds with one of the recieving some outflow from this parcel. The HOA is currently working to spend over \$30,000 to help correct a runoff area to prevent flooding of neighbors home in this runoff area. Any further development would more than likely increase this burden. If this rezoning occurs, I would recommend that Alachua County take over the Eagle Point retention ponds and maintain them. It is not fair to make individual home owners responsible for other developments storm runoff.
5. Noise, removing the natural buffer zone would increase noise to the home owners in the Eagle Point subdivision from road traffic from I75 as well as additional noise from the apartment complex.
6. Less wildlife, This parcel is 25+ acre of woodland. We have some wildlfie in our neighborhood including Bald Eagles, Hawks, Rabbits, Snakes, Turkeys, and other natural FL wildlife. This will decrease due to destruction of their homes.

I beg you to rethink this zoning proposal and have more developers start developing the Eastern Side of Alachua county. We currently like living in a low crime, quiet neighborhood with some wildlife. If this property is rezoned we will loose out on all 3.

## Jeffrey L. Hays

---

**From:** Pamela Kaye <pkaye35@gmail.com>  
**Sent:** Tuesday, October 8, 2019 8:41 PM  
**To:** Planning  
**Subject:** Rezoning Application #ZOM-12-19

To whom it may concern,

I am writing concerning the rezoning of the parcel number 06326-001 on Fort Clark Blvd now zoned as R-1A Institutional. When we bought our property in Eagle Point we made certain that the zoning for the property in question would not allow for apartments. Issues:

1. Changing the zoning on this property and allowing apartments there would negatively affect our property values.
2. We already have a flooding problem and this could complicate that.
3. The gridlock on Fort Clark Blvd. is a big problem with the elementary school, the fire station and 2 apartment complexes across Fort Clark Blvd.
4. Negative sound impact
5. Quality of life and safety.
6. Privacy

I would ask the question, Why?

The only purpose for this rezoning request is for monetary gains for the owner of this property. It has very negative consequences for the property owners of our home, our neighborhood.

Please do not rezone this property.

Thank you,  
Pamela Kaye  
Home owner in Eagle Point.

Sent from my iPad

## Jeffrey L. Hays

---

**From:** Anne <tibbetts5new@gmail.com>  
**Sent:** Tuesday, October 8, 2019 8:39 PM  
**To:** Planning  
**Subject:** Zoning Applications #ZOM-12-19 and #CPA-05-19

To the Planning Commission and the Board of County Commissioners:

When I purchased my house on NW 89<sup>th</sup> Drive, it was after I did my research on the area. The schools are top notch, and it is a safe and family orientated community with numerous children of all ages. With small children, those were top priorities in making my decision.

Safety is still my main concern. The high density for rental units will certainly impact the area and increase traffic. With two more outlets of traffic entering Fort Clarke Blvd it is a real safety concern for children walking or biking to our area schools. It will also impact the already congested traffic to Newberry Road and Gainesville and the northern communities during heavy commute times.

An increase in noise levels may become a concern. If this plan does go through, it would be my hope that a wall and vegetation perimeter area will be established as a buffer zone for any increased noise level, and to protect the integrity and structure of our small area neighborhood so our current streets will not become patterns for new traffic that will endanger the safety of all our residents.

Thank you for considering my concerns.

Anne Tibbetts

Sent from [Mail](#) for Windows 10

**Jeffrey L. Hays**

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**From:** Mahlet Yared <myared01@yahoo.com>  
**Sent:** Tuesday, October 8, 2019 8:31 PM  
**To:** Planning  
**Subject:** Zoning Applications: CPA-05-19 and ZOM-12-19

Dear Board of County Commissioners,

I am writing to you concerning the zoning applications #CPA-05-19 and #ZOM-12-19.

I am strongly encouraging you not to approve these requests. I have lived in my home neighboring the requested site for over 20 years. Our neighborhood has been a quiet and safe place where I have raised my children. If these applications are approved, our once delightful neighborhood will change for the worse with increased noise and traffic. As it is, Fort Clark Blvd experiences high levels of traffic during the weekday mornings and increasing the number of dwellings per acre (and consequently the number of residents) would drastically worsen the traffic situation. Moreover, my house specifically neighbors the site and I am concerned for my privacy in my home and backyard. Additionally, I am concerned that should this site change from 1-4 dwelling units per acre to 8-14, that the value of my home as well as my neighbors would diminish in value.

I strongly urge you all not to approve these applications. I have greatly enjoyed my home these past couple decades and would like very much to continue to live here for years to come without the disruptions that would come should these applications be approved.

Thank you for your time.

Best,  
Mahlet Yared

1038 NW 87 Terrace  
Gainesville, FL 32606

**Jeffrey L. Hays**

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**From:** Mark House <mchouse@startmail.com>  
**Sent:** Tuesday, October 8, 2019 7:59 PM  
**To:** Planning  
**Subject:** Eagle Point Zoning

Sir or Ma'am,

My family and I have lived in the Eagle Point subdivision off of Fort Clark Boulevard in Gainesville. We have lived here since 2001 and have generally enjoyed the neighborhood. The downside of living in Eagle point is two fold, the traffic on 23rd in the mornings and the overflowing school systems that have been responsible for both of my daughters education. These are the two issues that seem to be ongoing and unresolved. Additionally, we get the occasional prank or the more serious break in from our neighbors in the apartment complexes across the road.

Please take a minute and consider your actions in rezoning the area around our neighborhood. Gainesville has a development that is safe, friendly, and enjoyable please help us keep it that way.

Mark & Lisa House

**Jeffrey L. Hays**

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**From:** Stephanie Perez <stephaniemarie10@gmail.com>  
**Sent:** Tuesday, October 8, 2019 7:50 PM  
**To:** Planning  
**Subject:** Public hearings on rezoning of 06326-001-000 parcel

RE: Public hearings on rezoning of 06326-001-000 parcel

To whom it may concern:

Let us share our opinion regarding proposed rezoning of 06326-001-000 parcel. We purchased our house in Eagle Point in May 2019. We have worries that if rezoning plans are approved then the projected 500+ cars in the new subdivision would make Ft Clarke traffic unmanageable.

This proposed new complex will definitely reduce the value of our house. We understand that land developers want to maximize their financial benefits by rezoning the property to higher density, but they are doing that at the expense of a large community of people living at Eagle Point in the established neighborhood.

Please help us protect our community.

Stephanie Davis

## Jeffrey L. Hays

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**From:** Anne <tibbetts5new@gmail.com>  
**Sent:** Tuesday, October 8, 2019 4:48 PM  
**To:** Planning  
**Subject:** Zoning applications #ZOM-12-19 and #CPA-05-19

To the Planning Commission and the Board of County Commissioners:

When I purchased my house on NW 89<sup>th</sup> Drive, it was after I did my research on the area. The schools are top notch, and it is a safe and family orientated community with numerous children. With elementary aged children those were top priorities in making my decision.

Safety of the children is still my main concern. The high density for rental units will certainly increase traffic. With two more outlets of traffic entering Fort Clarke Blvd it is a real safety concern for children walking or biking to the area schools. It will also impact the already congested traffic to Newberry Road and Gainesville and the northern communities during the heavy commute times.

An increase in noise levels may become a concern. If this plan does go through, it would be my hope that a wall and vegetation area will be established as a buffer zone for any increased noise and to protect the integrity and structure of our small area neighborhood so our current streets will not become patterns for new traffic and endanger the safety of our residents.

Thank you for considering my concerns.

Anne Tibbetts

Sent from [Mail](#) for Windows 10



**Jeffrey L. Hays**

---

**From:** Freytes, Ivette M. <Ivette.Freytes@va.gov>  
**Sent:** Tuesday, October 8, 2019 4:45 PM  
**To:** Planning  
**Subject:** rezoning of 06326-001-000 parcel.  
**Attachments:** Alachua County Planning Committee Letter Oct 2019.docx

Letter for the Alachua County Planning Committee, please see attached.

**Jeffrey L. Hays**

---

**From:** Tony Tzounakos <ttzounakos@gmail.com>  
**Sent:** Tuesday, October 8, 2019 4:37 PM  
**To:** Planning  
**Subject:** Application #ZOM-12-19 - Re-zoning on Ft Clark Blvd

To whom it may concern:

We are residents of Eagle Point neighborhood on Ft Clarke Blvd. We are writing to strongly oppose the request in this application to re-zone this property as medium high-density.

We request this application to be denied for many reasons: this will negatively impact our home values, the inability of the roads to handle the significant increase in traffic, sound impact to our neighborhood and surrounding area, negative impact to an already problematic water drainage area, potential for increased crime, and added burden to an already high congestion area of traffic.

Please take our concerns and those of all of the families in our neighborhood seriously. This directly impacts us, our children, the investments we made in our homes and the overall efficiency of how traffic can move along Ft Clarke Blvd. This has been a very active topic in our neighborhood forum, and not one person has indicated any support for this.

Regards,  
Tony Tzounakos

**Jeffrey L. Hays**

---

**From:** Tony Tzounakos <ttzounakos@gmail.com>  
**Sent:** Tuesday, October 8, 2019 4:36 PM  
**To:** Planning  
**Subject:** Application #CPA-05-19 - Re-zoning on Ft Clark Blvd

To whom it may concern:

We are residents of Eagle Point neighborhood on Ft Clarke Blvd. We are writing to strongly oppose the request in this application to re-zone this property as medium high-density.

We request this application to be denied for many reasons: this will negatively impact our home values, the inability of the roads to handle the significant increase in traffic, sound impact to our neighborhood and surrounding area, negative impact to an already problematic water drainage area, potential for increased crime, and added burden to an already high congestion area of traffic.

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Regards,  
Tony Tzounakos

## Jeffrey L. Hays

---

**From:** Maria Tzounakos <tzounakosm@gm.sbac.edu>  
**Sent:** Tuesday, October 8, 2019 4:32 PM  
**To:** Planning  
**Subject:** Application #ZOM-12-19

To whom it may concern:

We are residents of Eagle Point neighborhood on Ft Clarke Blvd. We are writing to strongly oppose the request in this application to re-zone this property as medium high-density.

We request this application to be denied for many reasons: this will negatively impact our home values, the inability of the roads to handle the significant increase in traffic, sound impact to our neighborhood and surrounding area, negative impact to an already problematic water drainage area, potential for increased crime, and added burden to an already high congestion area of traffic.

Please take our concerns and those of all of the families in our neighborhood seriously. This directly impacts us, our children, the investments we made in our homes and the overall efficiency of how traffic can move along Ft Clarke Blvd. This has been a very active topic in our neighborhood forum, and not one person has indicated any support for this.

Regards,  
Maria Tzounakos

--

Maria Tzounakos  
4/5 ESE Teacher  
ESE Team Leader  
CREATE Contact  
Alachua Elementary

[www.DonorsChoose.org/MariaTzounakos](http://www.DonorsChoose.org/MariaTzounakos)

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## Jeffrey L. Hays

---

**From:** Maria Tzounakos <tzounakosm@gm.sbac.edu>  
**Sent:** Tuesday, October 8, 2019 4:31 PM  
**To:** Planning  
**Subject:** Application #CPA-05-19 - Re-zoning on Ft Clark Blvd

To whom it may concern:

We are residents of Eagle Point neighborhood on Ft Clarke Blvd. We are writing to strongly oppose the request in this application to re-zone this property as medium high-density.

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Regards,  
Maria Tzounakos

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Maria Tzounakos  
4/5 ESE Teacher  
ESE Team Leader  
CREATE Contact  
Alachua Elementary

[www.DonorsChoose.org/MariaTzounakos](http://www.DonorsChoose.org/MariaTzounakos)

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**Jeffrey L. Hays**

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**From:** kelly stephens <kgator83@yahoo.com>  
**Sent:** Tuesday, October 8, 2019 4:26 PM  
**To:** Planning  
**Cc:** Scott Jamison  
**Subject:** Zoning on Fort Clarke Blvd (ZOM-12-19)

Dear Zoning Board,

I wanted to take a moment to express my concerns as a resident living in the Eagle Point subdivision of the proposed zoning changes (ZOM-12-19) to the vacant lot on Fort Clarke Blvd.

Allowing a high density residential complex to be built on an already congested street will be problematic in many ways. One of the many appeals of moving into this neighborhood was that it was a quiet, safe, and family friendly subdivision somewhat removed from the craziness of Gainesville congestion. Adding more high density residences would increase congestion, be more noise right in our back yard (our lot backs up to the lot in question), and potentially increase safety matters in this area.

Please reconsider the granting of this zoning waiver.

Sincerely,  
Kelly Jamison

[Sent from Yahoo Mail for iPhone](#)

## Jeffrey L. Hays

---

**From:** Lori Pirzer <pirzerll@gmail.com>  
**Sent:** Tuesday, October 8, 2019 4:26 PM  
**To:** Planning  
**Subject:** Deny Zoning Request

To Whom It May Concern,

My husband and I are residents of the Eagle Point community on Fort Clarke Blvd. We are writing to **STRONGLY** oppose the zoning change to the property listed below. When we decided to invest in a home in Eagle Point this property was not zoned for apartments.

We request that the application for a zoning change be denied. Fort Clarke Blvd already has a traffic issue in the mornings and afternoons and adding more apartments to this road would exasperate this issue. Our community already deals with drainage issues, as do the retention ponds on Fort Clarke Blvd. The addition of apartments would make this issue much worse. Cutting down trees to make way for this property would affect property values and privacy of residents adjacent to this area. The surrounding trees and foliage help to decrease traffic noise in the community and add to the beauty and wildlife around our homes. We have recorded over 100 species of birds, including turkeys and owls, and clearing trees and foliage would cause these animals to relocate. More apartments could also increase crime in our community. This past year we had a series of car and home burglaries and the culprit was found to be living in apartments across the street.

We would like for our neighborhood to remain beautiful and safe and urge you to deny this request for the above mentioned reasons.

We DO NOT support the zoning change.

Thank you,  
Bill and Lori Pirzer

ALACHUA COUNTY  
DEPT. OF GROWTH MANAGEMENT/OFFICE OF PLANNING AND DEVELOPMENT  
ADMINISTRATION ANNEX - 10 S.W. SECOND AVENUE, 3<sup>rd</sup> FLOOR  
GAINESVILLE, FLORIDA 32601  
(352) 374-5249

September 30, 2019

Notice of Zoning Application # **ZOM-12-19**

Dear Property Owner:

As owner of property within the vicinity of the area covered by this request, you are hereby notified of the above zoning applications described on the attached map. The zoning process on this item will include two (2) public hearings: An advisory hearing with the **Planning Commission** followed by a final hearing with the **Board of County Commissioners**. The **Planning Commission** hearings and the **Board of County Commissioners** hearings will be held in the **Jack Durance Auditorium** on the second floor of the Alachua County Administration Building located at 12 SE 1<sup>st</sup> Street Gainesville, FL 32601.

Planning Commission date and time:

**Wednesday, October 16, 2019 at 6:00 p.m.**

Board of County Commissioners date and time: **To be determined**

You are invited to attend and participate in the hearings.

For your information, we have enclosed a zoning map and description of the application. The application files are accessible for review and a copy of the staff report will be available the Friday before the meeting. A pamphlet containing information about quasi-judicial proceedings is also available upon request.

*You are encouraged to provide written comments in the space provided below and return your response to us no later than 5:00 p.m., Tuesday, October 8, 2019. You may also email comments to: [planning@alachuacounty.us](mailto:planning@alachuacounty.us). This will allow us to make your response a part of the information packet presented to the Commissioners prior to the public hearings. Written comments received after this date will be given to the Planning Commissioners at the hearing.*

If you have any questions, or desire further information, please contact the Development Services Section at (352) 374-5249.

**PLEASE WRITE LEGIBLY/USE DARK INK**

**RETURN THIS PORTION**

Comments: \_\_\_\_\_

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\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

**SIGNED:** \_\_\_\_\_

APPLICATION # ZOM-12-19





**Jeffrey L. Hays**

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**From:** Malgorzata Deyrup <deyrup@gmail.com>  
**Sent:** Tuesday, October 8, 2019 4:24 PM  
**To:** Planning  
**Subject:** No zoning change

As residents (Oak Crest) of a nearby neighborhood, we would like to voice our concern about the proposed high density apartment complex on Ft Clarke Blvd. We use this road daily on our commute to our business in Thornebrook Village. While we appreciate that such apartments/condominiums are an answer to urban sprawl, they should not be built without adequate infrastructure. Ft Clarke Blvd is already handling more traffic than it can handle during school hours with back-ups almost to Newberry Rd. Emergency vehicles can't pass, students can't get to school, and driver frustrations cause behavior that endangers pedestrians. Even outside of school zone hours, back-ups are frequent. Two lane roads on three sides (98th st, 23rd ave, and Ft Clarke Blvd) require road expansion before more high density construction is allowed.

Thanks for your consideration! Sincerely Malgorzata and James Deyrup

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<http://www.malgorzatas.com>

## Jeffrey L. Hays

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**From:** Hanna Irby <hsagebear2@gmail.com>  
**Sent:** Tuesday, October 8, 2019 4:16 PM  
**To:** Planning  
**Subject:** Regarding the Proposed Construction on Eagle Point

To whom it may concern:

My family and I have lived in Eagle Point for the past 7 years. We bought the house directly behind the building that you might build. Know that I oppose the building of that complex for the following reasons:

1. **Burglaries** I have heard of many burglaries that have happened here because of the two apartment complexes on the other side of Fort Clarke Boulevard. Just think of the amount of burglaries that will happen if you build that building. Think how would you feel telling your kids that all their favorite devices have been stolen. I'm asking for humanity from you.
2. **Property Values** The cost of housing will decrease drastically and that means less money in your pocket.
3. **Noise** The noise levels will be increased dramatically and, being right behind the complex with a child, the amounts of complaints will mostly be noise.
4. **Traffic** The traffic is already bad but add in another apartment complex, the traffic will be at a dead still during the prime traffic hours. At 8 this morning, I was trying to get to work and at the stop sign at the entrance to Eagle Point for like 10 minutes. When I come home, I have to wait like three stop light cycles until I can turn into Eagle Point.
5. **Quality of Life** Some people in this neighborhood have pools, gardens, trampolines etc.in their backyard. They would want to do those activities in peace.
6. **Privacy** Some people, including myself, like privacy very much. People put up boundaries to save themselves from troublesome judgements. So, if a person didn't own a dryer and had to hang up your clothes in the privacy of their backyard and that privacy was taken away, that would be unfair. And this issue concerns my fist issue which was burglaries.

For these reasons, I oppose the building of the apartment building.

Sincerely,

Hanna Irby

Sent from [Mail](#) for Windows 10

## Jeffrey L. Hays

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**From:** Robert Craig <mcmeekin1151@gmail.com>  
**Sent:** Tuesday, October 8, 2019 2:04 PM  
**To:** GEORGIA; Planning  
**Cc:** GEORGIA  
**Subject:** Zoning Application # CPA-05-19

Dear Alachua County Planning Commissioners and Alachua County Commissioners Please accept this email as to our input as to the propose zoning changes under consideration for ZoningApplication # CPA-05-19. My wife Georgia Kelley and I own a home in the Eagle Point Subdivision ( parcel 182 ).

We object to the proposed zoning change for the following reasons:

1. If the zoning is currently R- 1A Institutional and the land was deemed appropriate for those purposes then what would now make it sufficient for different usages? It would be incumbent upon the Planning Commission and County Commission to give the residents sufficient reasons for considering any changes. To not give full disclosure and transparency in this matter is to conceal motivation and intent. The intent of the seller and buyer to profit from the sale of the property should not outweigh the needs of the greater community surrounding the parcel under consideration.

2. There are some 200 homes that would be sufficiently impacted by the building of apartments on the site under consideration.

(A) property values and the desirability of owning a home in Eagle Point will be diminished.

(B) the sense of community will be altered negatively as to the security, safety and well being of persons and families of all ages. Police protection and presence will increase as will crime.

(C) infrastructure needs, flooding and drainage already a concern will be more of a concern. Who will be responsible for such and at what cost to the county, residents, and developers? The Eagle Point residents spent much time, effort and money in getting Robin Shore to come back and build detention and retention areas that should have been built into the original subdivision. This being some 20 years after the so called completion of the project. Why county inspectors did not catch this is to speak of the inefficiencies of government in seeing to the proper adherence to water management requirements. Codes without enforcement are useless. A new developer might be similarly disposed to cutting corners and county officials might also neglect to hold the developer accountable. Thus, putting the home owners in more jeopardy. After heavy rains retention ponds are full and the county has to bring pumps in to move water out of low areas with Fort Clark Blvd in front of the entrance to Eagle Point and well into the subdivision being under water for many days after the rains stop. Pumps and hoses are frequently overtaxed and broken causing further delays in removing standing water and in accessing our homes.

Flooding might only get worse with more concrete, asphalt and the like.

(D) green ways and sufficient buffers to attenuate sound, light, and unpleasant smells ( dumpsters) will not be sufficient enough for the residents whose homes border the development. Aesthetically buildings towering over single family homes, parking lots and light pollution will be undesirable. To disrupt a way of life common to us is to make for angry citizens and voters. Developers will leave and apartment dwellers come and go but home owners spend much time effort and money in enhancing their homes and property and stay much longer than those previously mentioned. My wife and I have spent some \$70,000 in building an outdoor environment with a pool for our enjoyment. Others have done likewise. We spend much time outside and would not like our quality of life to be compromised.

(E) traffic already congested will only get worse. With 2 public schools within very close proximity to the proposed apartments the safety of walking and bike riding students will be of greater concern. Who will pay for crossing guards, infrastructure, and safety to life remedies?

(F) school overcrowding and growing facility needs will have to be accounted for by the school board who face ever present budget shortfalls. Realtors and home sellers will be impacted as Eagle Point dwellings will be less desirable.

3 What would be a reasonable balance of different types of land use within an area? Already there are 2 schools, 2 assisted living facilities, 4 apartment complexes and a fire station next to Eagle Point. How many other subdivision areas have a similar configuration? Few if any I would suppose. An additional apartment complex would further unbalance a reasonable configuration of types of buildings and uses within a short space of available property.

4 Eagle Point residents are busy with work, raising kids, taking care of the sick and informed, maintaining their homes and property and don't have the time and resources of government and developers in prevailing and attending to matters of rezoning. We are at a unique disadvantage in comparison to government staff and paid representatives of developers. County government wants a streamlined system and policies to minimize controversy and make for the easiest passage of rules governing zoning changes and other matters before them. A protracted process for wise and thoughtful consideration is inefficient for officials surrounded by controversies and challenging decision making. I am hopeful yet wary of the influences of developers and sellers of the property in question and implore you to weigh the considerations of homeowners heavily in your deliberations and voting on the proposed zoning change. Voting as a block of Eagle Point residents could effect the outcome of an election.

Sent from my iPad

**Jeffrey L. Hays**

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**From:** patricia nelson <pan1211@gmail.com>  
**Sent:** Tuesday, October 8, 2019 1:42 PM  
**To:** Planning  
**Subject:** Re: Zoning for Ft. Clark development

On Mon, Oct 7, 2019, 9:36 PM patricia nelson <[pan1211@gmail.com](mailto:pan1211@gmail.com)> wrote:

To whom it may concern:

Six years ago my husband and I purchased our first house in the Eagle Point neighborhood. I was pregnant at the time and It has been a wonderful place to raise our family. We felt comfortable purchasing our home unaware of the changes that are happening now with the zoning for building on Ft. Clark blvd.

Zoning is established after much thought and input. People make purchase decisions based on adjacent zoning and to change zoning negates the process and can cause financial harm to surrounding properties. Changing the zoning from a lower to higher land use density simply benefits the developer at the cost and detriment to residents like us!

Another concern would be added traffic to an already congested road. Additional apartments on Fort Clarke Blvd will add to already ridiculous amount of work/school zone traffic.

Please do the right thing and retain the zoning as is and not let our community change for the financial benefit of a land developer.

Sincerely,

Tricia Nelson

## Jeffrey L. Hays

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**From:** Kim Kaufman <k\_kaufman33@hotmail.com>  
**Sent:** Tuesday, October 8, 2019 1:13 PM  
**To:** Planning

I have been a property owner/taxpayer in Gainesville since 1989. I have lived in Eagle Point since 2002. I bought this property knowing that the land beside my house was zoned for Institutional. I strongly oppose the zoning to be changed from Institutional to medium/high density! I have never had any problems at my house until the apartment complex was put in off of Fort Clarke Boulevard. I have had a break-in and people in my backyard moving my glider around to sit on it. All of the people involved came from the Paddock Apartments!

Traffic is a nightmare and adding more vehicles to an already over crowded road will only make things worse!

Please do not pass this new zoning application, preserve our woods and quiet neighborhood. Kim M Kaufman Sent from my iPad

## Jeffrey L. Hays

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**From:** Andrei Kirilenko <andy.kir@gmail.com>  
**Sent:** Tuesday, October 8, 2019 12:47 PM  
**To:** Planning  
**Subject:** hearings on rezoning of 06326-001-000 parcel

RE: Public hearings on rezoning of 06326-001-000 parcel

To whom it may concern:

Let us share our opinion regarding proposed rezoning of 06326-001-000 parcel. We purchased our house in Eagle Point ten years ago. Since that time, the traffic on Ft Clarke Blvd has increased dramatically so that it is already problematic to exit our neighborhood during the morning hours with northbound traffic congestion taking the entire length of Ft Clarke. We have grave worries that if rezoning plans are approved then the projected 500+ cars in the new subdivision traffic would make Ft Clarke traffic totally unmanageable.

Our other concern is connected with crime rate increase. Our house was burglarized and police never found suspects. With the proposed medium-high housing next to our neighborhood crime rate will definitely increase.

Finally, traffic problems and increasing crime rate will definitely reduce the value of our house impacting our retirement prospects. We understand that land developers want to maximize their financial benefits by rezoning the property to higher density, but they are doing that at the expense of a large community of people living in the established neighborhood.

Please help us protect our community.

Andrei Kirilenko and Svetlana Stepchenkova



## Jeffrey L. Hays

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**From:** Bradley D. Nelson <BDNelson@INFINITEENERGY.com>  
**Sent:** Tuesday, October 8, 2019 11:55 AM  
**To:** Planning  
**Cc:** patricia nelson; bradnelson.uf01@gmail.com  
**Subject:** Zoning Applications CPA-05-19 and ZOM-12-19

**Importance:** High

To Whom It May Concern -

Regarding Alachua County's Dept. of Growth Management Zoning Applications CPA-05-19 and ZOM-12-19, as a homeowner in the Eagle Point subdivision (within lot 6326-10) - I respectfully request that you deny the applications for the following reasons.

- The proposed zoning from R1A (residential 1 – 4 dwelling units/acre) to R-2A (Residential 8 – 14 dwelling units/acre) **will**, at the very least, negatively impact the home and property values of: Eagle Point (clusters 6326-10, 20, and 30, Eagle Point Villas (cluster 6323-10), Chelsea Lane (cluster 6322-10), Haufler Brother's Estates (cluster 6235), Brookfield (clusters 6234-110, 120, 130, and 140) and homes located on parcels 6322, 6322-2, and 6322-4); in total ~434 single-family homes.
- Rezoning to R-2A would add, at minimum, 200 to 350 automobiles to the already overwhelmed infrastructure of Ft. Clarke Blvd, Newberry Rd, and NW 23<sup>rd</sup> Avenue.
- Rezoning to R-2A would add additional burdens to the student capacity of the county schools located along Ft. Clarke Blvd (Hidden Oak Elementary) and NW 23<sup>rd</sup> Avenue (Ft. Clarke Middle School) and may force current students of these schools to be re-zoned to other area schools.
- Rezoning to R-2A may add additional burdens to the human need services of Alachua County Fire-Rescue Station 16, the Alachua County Sheriff's Office, as well as Gainesville Regional Utilities' infrastructure within the defined area.
- Rezoning to R-2A may increase the likeliness of crime in and around the surrounding neighborhoods of Ft. Clarke Blvd and NW 23<sup>rd</sup> Avenue.

Please take these concerns as well as the concerns of other property owners into consideration. Rezoning to R-2A will directly impact us and our investments. Thank you for your time.

On a side note, both applications list the subject property as being at 2720 SW 2<sup>nd</sup> Avenue; I assume this is a typo?

Sincerely,

**Brad Nelson**

Sr. Analyst, Regulatory Affairs | Infinite Energy | Veteran Energy

W: (352) 331-1654 ext. 3317

[BDNelson@InfiniteEnergy.com](mailto:BDNelson@InfiniteEnergy.com) | [InfiniteEnergy.com](http://InfiniteEnergy.com)

## Jeffrey L. Hays

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**From:** Saleem,Cyrus <Cyrus.Saleem@epi.ufl.edu>  
**Sent:** Tuesday, October 8, 2019 10:45 AM  
**To:** Planning  
**Subject:** Zoning Application ZOM-12-19

Hello Alachua County Planning Commission and Board of County Commission,

I am writing to you in regards to the most recent notice of zoning application - #ZOM-12-19 for the meeting on Wednesday October 16, 2019 at 6pm.

I am very displeased to hear about the possibility of this parcel being rezoned for medium-high density apartments. My wife and I bought a home in Eagle point (Lot 183) exactly one month ago. Unfortunately when buying this property we were unaware of these potential changes. We felt like this lot backing up to a wooded area would be peaceful and quiet as a place to raise our newborn daughter. My concern is not only the increased traffic that is already a nightmare in the mornings when leaving for work at UF, but the amount of new residents living in such apartments, that will back up directly behind our property.

There is already an elementary school and fire station right next to the proposed section for rezoning, and I do not feel using this space for apartments would be at all appropriate. I am speaking on behalf of the surrounding community, which already has several apartment complexes, with lots of traffic, and propose against zoning this section of land for further development. I hope that at your meeting the city planners see that the road is not equipped to add more density as it leads to a safety issue. Please consider the future livelihood of us residents at Eagle Point, as well the deforestation that will affect the surrounding area.

Sincerely,  
Cyrus

Cyrus Saleem (homeowner 8814 NW 11<sup>th</sup> Pl Gainesville, FL 32606)  
Data Management Analyst  
Emerging Pathogens Institute  
2055 Mowry Road  
PO Box 100009  
Gainesville, FL 32610

**Jeffrey L. Hays**

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**From:** Abbie Wagner <abwagner11@gmail.com>  
**Sent:** Tuesday, October 8, 2019 7:46 AM  
**To:** Planning  
**Subject:** Against Zoning Change!

Hello,

I've lived in Eagle Point since conception - building my house there in 1996. What attracted us to the neighborhood was the church owned land along Ft Clarke Blvd. Its a shame this land is being developed after all these years, but I accepted things change/growth happens. However I cannot accept the change of zoning to R-2A, residential high density. Ft Clarke Blvd cannot withstand all of that extra traffic! Are you kidding - have you driven that road during school hours and after work?? Not to mention more apartments equates to increased crime. I'm sure you're aware of the criminal activity that's occurred in Eagle Point over the years committed by nearby apartment residents.

I urge you to do what's right and do not change the zoning to R2A.

Thank you,

Amy Wagner  
213-0920  
1524 NW 89th Terrace

**Jeffrey L. Hays**

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**From:** Timothy Stokes <timothystokes@me.com>  
**Sent:** Monday, October 7, 2019 9:45 PM  
**To:** Planning  
**Subject:** ZOM-12-19 & CPA-05-19

To whom it may concern,

We have lived in the Eagle Point neighborhood for over 17 years and wanted to voice our concerns about the upcoming vote on the zoning changes for the property along Fort Clarke Blvd. Please don't allow this to happen. The traffic is already pretty bad and the road conditions are constantly a problem. Any development would allow direct access to our backyard, since our home backs up to the property in question, and also opens up the neighborhood to more crime, which has been a growing problem. There's also quite a bit of wildlife in the area if that matters to any of you. Again, please deny the application for the zoning changes. Thank you.

Timothy Stokes and Albert Miller

Sent from my iPad

## Jeffrey L. Hays

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**From:** Scott Jamison <scott.h.jamison@gmail.com>  
**Sent:** Monday, October 7, 2019 9:42 PM  
**To:** Planning  
**Subject:** Zoning on Ft. Clarke Blvd

Esteemed Zoning Board,

I am writing as a resident of Eagle Point in regards to ZOM-12-19 and the negative effects it would have on our neighborhood.

When we were looking for a home for our new family in 2012, the first and only place we looked was in Eagle Point. It is the perfect family neighborhood. The idea that a high density zoning waiver would be granted for apartments is very dismaying. This would severely affect our property values, potentially create safety issues, and will exponentially increase the already horrendous traffic problems on Ft. Clarke Blvd.

I understand that progress is something that cannot be stopped, but there has to be a better plan. To put a third apartment complex on this road would be a disaster on many levels.

Thank you for taking the time to read my email and for considering our stance as residents of Eagle Point who have invested much into our homes and neighborhood.

Scott and Kelly Jamison

## Jeffrey L. Hays

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**From:** Mary Jane Volkmann <mjvartist@gmail.com>  
**Sent:** Monday, October 7, 2019 9:29 PM  
**To:** Planning  
**Subject:** Proposed zoning changes on 25 acres on Ft. Clarke Blvd.

The Planning Commission  
Alachua County

To Whom it May Concern;

We live in the Eagle Point subdivision off Fort Clarke Blvd. and are very concerned to learn that a proposal is being considered to rezone the 25 acres next to our subdivision to medium high density. If up to 14 dwelling units are to be allowed, that could mean 350 households and at 1.5 cars per household a further 525 cars on Fort Clarke Blvd. There are times of the day when we already struggle to get out of our subdivision. Roads are blocked in every direction and sometimes traffic is at a complete standstill. To add that many cars to roads that don't have the capacity to carry them doesn't make sense at all.

Additionally, adding that type of density to the property increases the likelihood that the type of people who may choose to live there might be temporary residents who may not care what the area looks like, what noise they make or where they walk, party or explore. We already have problems with some burglaries and strangers in the neighborhood which we believe can be traced to the apartments on the other side of Fort Clarke Blvd., apartments zoned for only up to 8 dwelling units per acre.

We invested in a home in Eagle Point in 2002 for several reasons. It was conveniently close to schools, it was far enough from town to be quiet yet close enough to get to town, and because it was safe for our families and especially our children. Since we occupied our home, the area between us and I-75 has been developed, trees have been taken down and not replaced, traffic has increased drastically, there are more people on the streets, the number of people venturing into our neighborhood has increased and the amount of litter and volume of noise have both increased. Parents taking their children to school use the front of our subdivision as a parking lot at certain times of the day, even parking at the t-junction, further exacerbating the complications of driving in and out of our neighborhood. Recently new apartments have been occupied on NW 23rd, further contesting the roads as they drive to town on NW 23rd, creating a situation where all roads are completely full and it becomes almost impossible to get anywhere at certain times of the day. Already at certain times of the day we have to rely on someone's patience and thoughtfulness to allow us access out of our neighborhood onto Fort Clarke Blvd. ~ if we are able to get an opening in the traffic in the opposite direction.

For these reasons we would like to lodge our protest at the proposed changes to zoning of the 25 acres on Fort Clarke Blvd. We ask you please to think about the residents already living in this community and not to burden them further.

Thank you.

Sincerely,  
Mary Jane Volkmann  
Eagle Point

## Jeffrey L. Hays

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**From:** Michael Tickel <lekcit@juno.com>  
**Sent:** Monday, October 7, 2019 9:17 PM  
**To:** Planning  
**Subject:** Ft. Clarke Blvd Property Zoning Change

To Whom It May Concern:

We are residents of Eagle Point, and we have lived here since 1998. Eagle Point was established as a single-family residential neighborhood more than 25 years ago. At that time, Ft. Clarke Boulevard was a connecting road between Newberry Road and NW 23rd Avenue. When many of us began buying and building our family homes in this neighborhood, the property in question was vacant and plush with trees and foliage which served as a sound barrier between our homes and Ft. Clarke Boulevard. This was the quiet and secluded neighborhood we selected to raise our families.

Over those 20 years, two apartment complexes were developed, built, and occupied across the street on Ft. Clarke Boulevard. This has already overwhelmed the existing infrastructure for our roads and schools in addition to increasing the crime rate. We have had several burglaries where the culprits were found to be residents from one of these apartment complexes.

Allowing this land to be developed and used for additional medium high-density housing would put additional unnecessary burdens on Ft. Clarke Boulevard and the surrounding streets plus erode the tranquil and safe environment we depend on for our families. This was the existing environment that enticed us to buy and build our homes in this subdivision.

This was the ideal place to raise our families, and we want it to remain the same safe and nature-rich environment it is; therefore, we are opposed to this land being developed and used for medium high-density housing.

Sincerely,

Michael and Cynthia Tickel

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bloodsugarformula.com

<http://thirdpartyoffers.juno.com/TGL3142/5d9be382aee1663816cc6st04vuc>

Sponsored Links 

## Jeffrey L. Hays

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**From:** Alan Dean <alanhdean68@gmail.com>  
**Sent:** Monday, October 7, 2019 9:04 PM  
**To:** Planning  
**Subject:** Eagle Point Subdivision

To Whom it may concern:

On behalf of our family, who've been homeowners in Eagle Point subdivision on Ft. Clarke Boulevard for over 10 years, we'd like to express our concerns regarding the zoning change that has been submitted to your office for consideration.

As residents of a single family home subdivision, who've already experienced overflowing traffic on Ft. Clarke Blvd, this request of adding potentially hundreds of new residents would only serve to further exacerbate a terrible traffic situation.

Our neighborhood has had numerous crimes in our community that have been directly linked to those living in the apartments that already exist on Ft. Clarke Blvd, and feel that this change would only cause this to increase.

We've seen our taxes increase exponentially over the years, and the only thing making this bearable is that our community is buffered by the property that keeps the noise from Ft. Clarke Blvd being in our backyards. This new development of high-density apartments would cause our property values to plummet, through no fault of those who've chosen to raise their families here.

We respectfully ask that you as a committee refuse this high-density change, and to keep Gainesville as "green" as possible for our children and our beautiful city.

Thank you.

Respectfully,  
Alan H. and Shannon S. Dean  
Eagle Point Subdivision Homeowners



## Jeffrey L. Hays

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**From:** Jennifer Bonacci Conyac <jennbonacci@aol.com>  
**Sent:** Monday, October 7, 2019 8:53 PM  
**To:** Planning  
**Subject:** ZOM-12-19 & CPA-05-19

To whom it may concern:

We are residents of Eagle Point neighborhood on Ft Clarke Blvd. We are writing to strongly oppose the request in this application to re-zone this property as high-density.

We request this application to be denied for many reasons: this will negatively impact our home values, the **inability of the roads to handle the significant increase in traffic**, potential for increased crime and added burden due to school traffic.

Please take our concerns and those of all of the families in our neighborhood seriously. This directly impacts us, our children, the investments we made in our homes and the overall efficiency of how traffic can move along Ft Clarke Blvd. This has been a very active topic in our neighborhood forum, and not one person has indicated any support for this.

Thank you,  
JENNIFER Bonacci

Sent from my iPhone

## Jeffrey L. Hays

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**From:** Walt Nickel <nickel.walter5@gmail.com>  
**Sent:** Monday, October 7, 2019 8:23 PM  
**To:** Planning  
**Subject:** Zoning Application # ZOM-12-19

To whom it may concern:

Ten years ago our family bought our home in the Eagle Point neighborhood. It has been a wonderful place to raise our family.

Before we bought our home we researched the zoning concerning the church property on Ft Clarke Blvd (Parcel No. 06326-001-000).

We felt comfortable purchasing our home with the current zoning on that property. We purchased our home in good faith that the zoning would remain!

Zoning is established after much thought and input. People make purchase decisions based on adjacent zoning and to change zoning negates the process and can cause financial harm to surrounding properties. Changing the zoning from a lower to higher land use density simply benefits the developer at the cost and detriment to residents like us!

Added density will only add to the already failed level of service currently on Fort Clarke Blvd; wait time to travel north during the AM peak hour can exceed 10 minutes or more on a daily basis.

Unfortunately, we have been victims of two burglaries from residents of the apartment buildings on Ft. Clarke Blvd. This problem, no doubt, will only get worse with this change in zoning.

We implore you to do the right thing and retain the zoning as is and not let our community change for the financial benefit of a land developer that is here today and gone tomorrow.

Our family does not want the zoning changed!

Sincerely,

Walt and Linda Nickel  
1007 NW 87th Way  
Gainesville, FL 32606

## Jeffrey L. Hays

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**From:** Glen Haven <ghaven6@gmail.com>  
**Sent:** Monday, October 7, 2019 7:22 PM  
**To:** Planning  
**Subject:** ZOM-12-19

Dear Sir or Madam,

My wife and I are residents of Eagle Point, and we have lived here since 2013. Eagle Point was established as a single-family residential neighborhood more than 25 years ago. At that time, Ft. Clarke Boulevard was a connecting road between Newberry Road and NW 23rd Avenue. When many of us began buying and building our homes in this neighborhood, the property in question was vacant and lush with trees and foliage which served as a sound barrier between our homes and Ft. Clarke Boulevard. This was the quiet and secluded neighborhood we selected to live quietly.

Over those 20 years, two apartment complexes were developed, built, and occupied across the street on Ft. Clarke Boulevard. This has already overwhelmed the existing infrastructure for our roads and schools in addition to increasing the crime rate. We have had several burglaries where the culprits were found to be residents from one of these apartment complexes.

Allowing this land to be developed and used for additional medium high-density housing would put additional unnecessary burdens on Ft. Clarke Boulevard and the surrounding streets plus erode the tranquil and safe environment we depend on us. This was the existing environment that enticed us to buy in this subdivision.

This was the ideal place to live in Alachua County, and we want it to remain the same safe and nature-rich environment it is; therefore, we are opposed to this land being developed and used for medium high-density housing.

Thank you,

Glen and Kelly Haven  
1509 NW 90th TER  
32606

## Jeffrey L. Hays

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**From:** Lisa <lisazfab@gmail.com>  
**Sent:** Monday, October 7, 2019 6:53 PM  
**To:** Planning  
**Subject:** Ft Clarke zoning request

To whom it may concern,

I am writing to express my concern for the proposed zoning change on Ft. Clarke Rd in Gainesville. As a resident of Eagle Point, I am concerned on several fronts.

1- added traffic given the school zone and fire station.

Before another high density complex could be built, studies should be done to determine the impact on fire station response times, particularly during high traffic times of school zone and rush hour times. As it is, I've seen fire trucks have great difficulty getting from the station both up to 23rd and down to Newberry. Before another high capacity complex is built, consideration should be taken to extend a turn lane all the way down Ft Clarke to give some leeway for the fire trucks to pass.

2- flooding

Before hurricane Dorian, the sidewalks were already closed and pumps set up to deal with the potential flooding. I am concerned that with a known flood risk area, we would be creating a difficult situation when flooding occurs. It would potentially cause an interruption of traffic in/out of the Ft Clarke neighborhoods during times of emergency, potential extensive loss of personal property, etc.

3- there are already several apartments at Legacy and 23 West that are empty. Is there a true need for another high capacity complex to be built?

I would ask that if you have a traffic study, and/or impact study for the fire station responses or flood impacts, that those be presented to the residents to review. If these studies have not been completed, then it seems that you have the information required at this point to change the zoning request.

I believe that most of the Eagle Point neighborhood residents would potentially support a lower capacity zoning change. We understand the realities of development and creating more residential options. We just ask that this be done judiciously and responsibly. We do not want to see growth for the sake of growth without considering impacts on the environment, safety, and 'livability' of our Ft. Clarke Rd community.

I thank you for your consideration,

Lisa Fabulich

Sent from my iPhone

**Jeffrey L. Hays**

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**From:** Patrick and Melissa Horne <patrickandmelissa@icloud.com>  
**Sent:** Monday, October 7, 2019 4:57 PM  
**To:** Planning  
**Subject:** Input for Application #ZOM-12-19

To Whom it May Concern,

We are residents of Eagle Point, and have lived here since 2008. When we purchased our home, the property in question was vacant, and acts as a sound barrier between our home and Fort Clarke Boulevard. We chose this neighborhood to raise our family in because it was quiet and secluded.

Allowing this land to be developed and used for medium high-density housing would put unnecessary burdens on Ft. Clarke Boulevard and the surrounding streets. It would erode the tranquil and safe environment in which we want to raise our family. It will also put further strain on the local schools, who are already operating above capacity.

Therefore, we are opposed to this land being developed and used for medium high-density housing. Instead we propose the county could use funds from the Wild Spaces and Public Places program to purchase this land and use it to create a county park that could be utilized by Eagle Point and the surrounding neighborhoods. Please take our concerns seriously, as this will directly impact us, our children, our local infrastructure and the investment that we made in our home.

Thank you,

Patrick and Melissa Horne

## Jeffrey L. Hays

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**From:** Dorothy Napps McGinnes <dnmcginnes@gmail.com>  
**Sent:** Monday, October 7, 2019 2:48 PM  
**To:** Planning  
**Subject:** Zoning Application - CPA05ZOM1219

Dear Honorable Zoning Commission Members:

As a home owner of property that backs up to the parcel of land up for rezoning, I would like to voice my vote against Zoning Application CPA05ZOM1219. I built my home 22 years ago with the understanding that the property, which was at that time a tree farm, would eventually be home to a local church. I have no objections to a church or care facility for the elderly being built behind my home. However, I do believe that apartments will add unnecessary noise pollution and much additional traffic on Fort Clarke Blvd and cause more gridlock especially in the Newberry Road and I-75 area.

A few years ago a project on the northeast corner of Fort Clarke Blvd. and Newberry roads (across the street from this current zoning request) was turned down because of the extra car traffic it would generate. Then with the development west of us from apartments 23West on 23rd Avenue and 98th Street and also the massive amount of homes and multi units being built in the Town of Tioga and the Parker Road area, traffic is already causing a major slow down of traffic flow in the area of Newberry and I-75 roadways as well as 23rd and 39th Avenues in this area.

My additional concern is the safety and peacefulness our our current neighborhood. I'm certain none of you making this decision would want a large multi-unit apartment complex in your back yards. Please think about those of us who would have to live with the noise and extra traffic associated with such a large complex so close to our homes. While the developer plans to leave "green space," it will not be sufficient to block the noise generated from the apartments.

Also, where would my favorite "pet" raccoon go to eat if he was chased out of the woods behind my house and wasn't here to eat the bird food he loves so much. :-)

--

Dorothy Napps McGinnes  
1313 NW 89th Terrace  
Gainesville, FL 32606-6778

352-332-3182 Home phone

## Jeffrey L. Hays

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**From:** Michelle Bowers <emizach@yahoo.com>  
**Sent:** Monday, October 7, 2019 2:13 PM  
**To:** Planning  
**Subject:** Eagle Point

To Whom It May Concern:

I have been a resident of Eagle Point since 2001 and have raised 2 children here. Eagle Point was established as a single-family residential neighborhood more than 25 years ago. At that time, Ft. Clarke Boulevard was a connecting road between Newberry Road and NW 23rd Avenue. When many of us began buying and building our family homes in this neighborhood, the property in question was vacant and lush with trees and foliage which served as a sound barrier between our homes and Ft. Clarke Boulevard. This was the quiet and secluded neighborhood we selected to raise our families.

Since I moved into Eagle Point, two apartment complexes were developed, built, and occupied across the street on Ft. Clarke Boulevard. This has already overwhelmed the existing infrastructure for our roads and schools. Traffic on Ft. Clarke Boulevard is difficult most of the time. In addition, we have seen an increase in the crime rate. We have had several burglaries where the culprits were found to be residents from one of these apartment complexes.

Allowing this land to be developed and used for additional medium high-density housing would put additional unnecessary burdens on Ft. Clarke Boulevard and the surrounding streets plus erode the tranquil and safe environment we depend on for our families. This was the existing environment that enticed us to buy and build our homes in this subdivision.

This was the ideal place to raise our families, and we want it to remain the same safe and nature-rich environment it is; therefore, we are opposed to this land being developed and used for medium high-density housing.

Thank you for your consideration in this matter.

Sincerely,  
Michelle Bowers

Michelle L. Bowers It is our choices that show what we truly are, far more than our abilities." Dumbledore to Harry, book 2 For by grace you have been saved through faith, and that not of yourselves; it is the gift of God, not of works, lest anyone should boast." Ephesians 2: 8-9

## Jeffrey L. Hays

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**From:** Kate C <kcarter2468@gmail.com>  
**Sent:** Monday, October 7, 2019 10:56 AM  
**To:** Planning  
**Subject:** Concern re: zoning application #ZOM-12-19

To whom it may concern:

We are residents of Eagle Point neighborhood on Ft Clarke Blvd. We are writing to strongly oppose the request in this application to re-zone this property as high-density.

We request this application to be denied for many reasons: this will negatively impact our home values, the inability of the roads to handle the significant increase in traffic, potential for increased crime and added burden due to school traffic.

Just this morning, we left at around 8:00. Ft Clarke Blvd was backed-up the entire length of the road from 23rd and onto Newberry Road. It's almost impossible for us to turn out of our neighborhood as it is during morning traffic. Further, when we drive our children to afternoon activities. It is already part of our plans to sit through two to three cycles of the light at Newberry and Ft Clarke to turn left toward town (which is already unacceptable). This road simply cannot handle a high density apartment complex added....there are already two apartment complexes on this road.

Building a high-density apartment complex that literally backs up to many homes and yards will significantly decrease property values. This is not right and should not be allowed to happen.

Please take our concerns and those of all of the families in our neighborhood seriously. This directly impacts us, our children, the investments we made in our homes and the overall efficiency of how traffic can move along Ft Clarke Blvd. This has been a very active topic in our neighborhood forum, and not one person has indicated any support for this.

Thank you,  
Edward and Kate Carter



## Jeffrey L. Hays

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**From:** James Paul Sain <jim@isomuse.com>  
**Sent:** Monday, October 7, 2019 10:38 AM  
**To:** Planning  
**Cc:** Cynthia Sain  
**Subject:** Rezoning: Fourteenth Street Church of Christ CPA (CPA-05-19) on Ft. Clarke Blvd.

To Whom It May Concern:

Re: Zoning Application: #ZOM-12-19 (and any additional by same applicant)

I am writing to express my deepest concerns regarding the request to rezone the property owned by Fourteenth Street Church of Christ CPA (CPA-05-19) on Ft. Clarke Blvd. I implore you to retain the zoning of Institutional and not move forward with the requested change to Medium High Density Residential. I do so for the following reasons:

1) the "trips" on Ft. Clarke Blvd already surpass the capacity of that road and those surrounding. It is often exceedingly difficult to exit my housing development, Eagle Point, especially during peak morning and evening hours. People already use our housing development as a make-shift parking lot for the local public schools. With the recent addition of the apartments on the corner of 23rd Ave and 98th St. our attempts to get to work in a reasonable amount of time is thwarted by congestion at the intersections of Ft. Clarke Blvd and Newberry Rd. AND Ft. Clarke and 23rd Ave. A 7 mile trip to work at the university is often 45 mins during peak usage. Unfortunately, only one bus route passes our house, #23, and that can take 1-2 hours to travel to/from the university with transfers (there is no direct route to UF), traffic and stops.

2) In the nearly 20 years we have lived in the Eagle Point subdivision, road improvements to increase capacity on Ft. Clarke Blvd and surrounding arteries have been nil. This includes a flooding problem across Ft. Clarke Blvd that has trapped many residents in our subdivision after major rains (hurricanes and tropical storms). There is only one point of egress from the Eagle Point housing development.

3) There is currently no shortage to affordable housing in our area. Simply put, the apartments are no needed.

4) When we've had break-ins and thefts, most of these occurrences have been traced to the apartments across the street. Transient populations to not mix well with single family homes.

5) In purchasing our home we did our homework to see what amenities were present (schools, shopping, etc) and what the zoning was for the surrounding properties. The mix and density seemed appropriate for the area. We understood the property in question was owned by a church and zoned appropriately for such an institution. We looked forward to that addition to our community culture. To change that zoning to "Medium High Density Residential" would change the planning and thought put forth by our county officials in favor of an individual seller. And, it would likely reduce the property values of the numerous single-family homes in proximity to the potential transient accommodations.

We did our due diligence when purchasing our home in Eagle Point. I encourage you to do the same and deny this application for zoning change.

Best regards  
Dr. James Paul Sain

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dr. james paul sain

professor of music  
university of florida school of music  
president emeritus, society of composers inc.  
jsain@ufl.edu • <http://jamespaulsain.com/>  
352.273.3176 voice • 352.392.0461 fax

**Jeffrey L. Hays**

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**From:** Josh Dawson <jdawson1107@gmail.com>  
**Sent:** Monday, October 7, 2019 10:31 AM  
**To:** Planning  
**Subject:** ZOM-12-19

I am writing in response to the zoning request for the 25 acres on Fort Clarke BLVD. I am concerned with this area being changed into a medium/high density apartment complex for the following reasons:

1. Traffic on Fort Clarke; The traffic on Fort Clarke is already congested with the multiple schools as well as people using the road to get between Newberry Rd and NW 39th Ave.
2. Property Values; The new complex will negatively effect the property values for all on Eagle point.
- 3 Quality of Life; The increase of people also increase the amount of noise, possible rise of crime and the raised building will impede in the privacy of the community.
4. Drainage/flooding issues; The area already has flooding issues made apparent by the recent storms. Development of the land will need cause more flooding problems when heavy storms come into the area. The apartments will also require draining that is already inadequate.

Please take these comments into consideration when coming to the decision of rezoning the area.

I for one am against the request to change the zone of the property. I purchased property in Eagle Point knowing that the property was not zoned for apartments.

I will be unable to attend the hearing on October 17th due to my work schedule. I wished for my concerns to be heard in my absence.

Josh Dawson  
1317 NW 90th Terrace

**Jeffrey L. Hays**

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**From:** Susan Swails <susanswails@hotmail.com>  
**Sent:** Monday, October 7, 2019 10:20 AM  
**To:** Planning  
**Cc:** Joe Swails  
**Subject:** Zoning application: CPA-05-19, ZOM-12-19

To Whom It May Concern:

We are residents of Eagle Point, and we have lived here since 1998. Eagle Point was established as a single-family residential neighborhood more than 25 years ago. At that time, Ft. Clarke Boulevard was a connecting road between Newberry Road and NW 23rd Avenue. When many of us began buying and building our family homes in this neighborhood, the property in question was vacant and lush with trees and foliage which served as a sound barrier between our homes and Ft. Clarke Boulevard. This was the quiet and secluded neighborhood we selected to raise our families.

Over those 20 years, two apartment complexes were developed, built, and occupied across the street on Ft. Clarke Boulevard. This has already overwhelmed the existing infrastructure for our roads and schools in addition to increasing the crime rate. We have had several burglaries where the culprits were found to be residents from one of these apartment complexes.

Allowing this land to be developed and used for additional medium high-density housing would put additional unnecessary burdens on Ft. Clarke Boulevard and the surrounding streets plus erode the tranquil and safe environment we depend on for our families. This was the existing environment that enticed us to buy and build our homes in this subdivision.

This was the ideal place to raise our families, and we want it to remain the same safe and nature-rich environment it is; therefore, we are opposed to this land being developed and used for medium high-density housing.

Thank you.  
Joe and Susan Swails

## Jeffrey L. Hays

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**From:** Cynthia Sain <cynthiasain@gmail.com>  
**Sent:** Monday, October 7, 2019 8:23 AM  
**To:** Planning  
**Cc:** James Paul Sain  
**Subject:** Rezoning Ft. Clarke Blvd

Re: Fourteenth Street Church of Christ CPA (CPA-05-19); Alachua County Comprehensive Plan 2011-2030

Change property from Institutional to Medium High Density Residential

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Please retain the institutional zoning for this property.

Rezoning to medium-high density will result in many negative impacts to all people living in the area.

Impacts include the following:

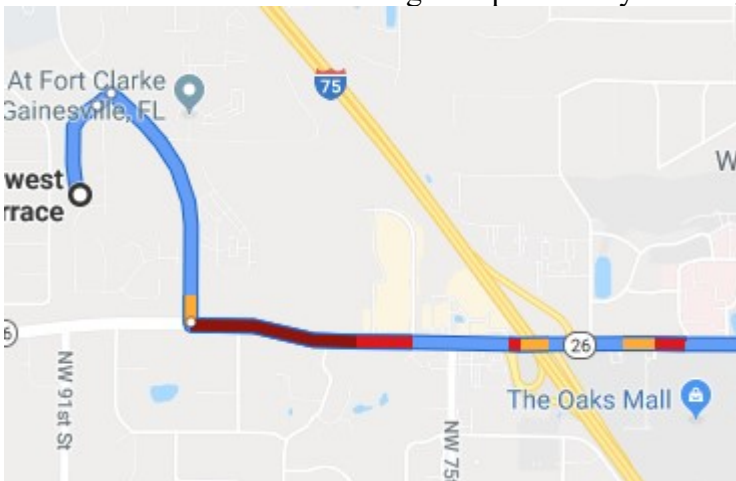
1. Negative impact on travel time.

- The new development on the corner of 23rd Ave and 98th St resulted in increased traffic on 23rd Avenue, 98th St, Newberry Rd, 39th Ave, and Ft. Clarke Blvd. All of these roads are backed up for an extended period of time whether on the weekday or weekend (see google maps below).

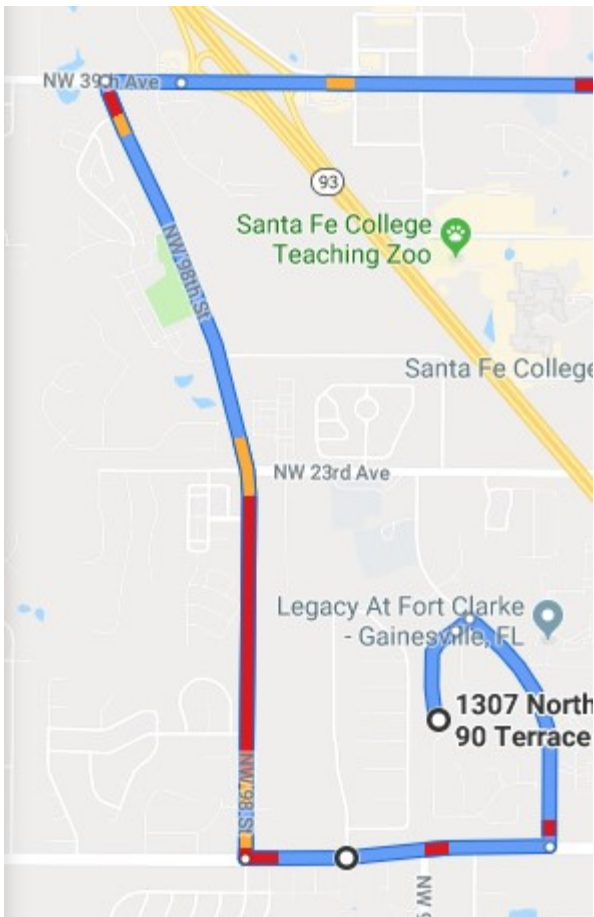
- Google Maps charts the distance from my home to work at 7.2 miles. Yet, frequently I have to alter my trip to a 8.1 mile route due to heavy traffic. These alternate routes have become more congested. 98th St north bound now backs all the way up to Newberry Rd in the morning. It takes me an additional 20 minutes if I take 23rd Ave. I find myself driving a 10.4 mile route to try to get to work in 45 minutes (it is mapped as a 20 minute drive). There are no good options.

2. Roads not improved to meet current demand.

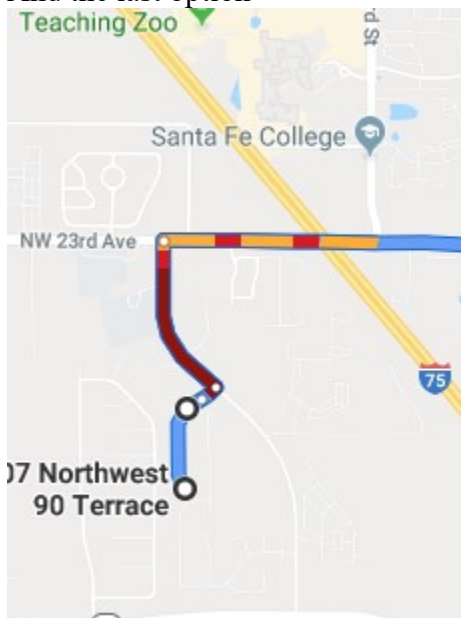
Here are screenshots of Google maps Monday morning at 8:03am



Another option



And the last option



There is no capacity on Ft. Clarke, Newberry Rd, 23rd Ave, or 98th St. These are the only options we have to leave our neighborhood and travel east to work.

Rezoning Fourteenth Street Church of Christ CPA (CPA-05-19); Alachua County Comprehensive Plan 2011-2030 **is not possible with the streets in their current condition.**

3. Do we need additional units in the area? No. We do not. A quick search of zip code 32606 on [apartments.com](https://www.apartments.com) yields 186 open units. There is already affordable housing available in this area.

Do not continue to decrease the quality of our living experience by rezoning this property to medium-high density.

Cynthia Sain  
1307 NW 90th Terrace  
Gainesville, FL 32606

**Jeffrey L. Hays**

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**From:** Ning Yang <ningyangy@gmail.com>  
**Sent:** Sunday, October 6, 2019 11:49 PM  
**To:** Planning  
**Subject:** object to rezoning requests #CPA-05-19 & #ZOM-12-19

Dear Sir or Madam,

As a property owner at 1138 NW 89 Dr, Gainesville, FL32606, I strongly object to the rezoning request #CPA-05-19 and #ZOM-12-19. The Eagle Point community is the highest density community in this area, it is NOT acceptable to build a higher density apartment in the proposed site. This will affect our property value, cause the drainage and flooding issues. It will worsen the traffic as it is near the Hidden Oak Elementary School and Ft. Clarke Middle School. And even worse, it will make the students who walk/bike to the school in very dangerous circumstances. Please stop rezoning this site.

Sincerely yours,

Ning Yang



**Jeffrey L. Hays**

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**From:** Q Xue <x2006lj@gmail.com>  
**Sent:** Saturday, October 5, 2019 7:04 PM  
**To:** Planning  
**Subject:** Objection to rezoning application # CPA-05-19

Dear Sir or Madam,

This is Mr. Qingshan Xue at 8813 NW 10<sup>th</sup> Pl., Gainesville FL 32606. I've reviewed the letter from Alachua County Department of Growth Management, Office of Planning and Development regarding the rezoning application # CPA-05-19. As owner of property within the vicinity of the area covered by this request, I strongly object to this rezoning application. The reason of my objection is that this area has already high density of population with traffic jams on school days which is directly affecting the nearby school functioning, therefore the rezoning plan will put more burden on the already-very-bad traffic situation and school environment.

Sincerely yours,

Qingshan Xue

## Jeffrey L. Hays

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**From:** Stan Kaye <stankaye@icloud.com>  
**Sent:** Friday, October 4, 2019 8:25 PM  
**To:** Planning  
**Subject:** No to re-zoning

I'm not in the current rezoning on fort Clarke blvd.

Leave the zoning as is. We are all very happy here in Eagle Point. Is someone wants to build on the proposed property that's fine /let them build within the current zoning restrictions.

What is the motivation to change it ? Let's us all live in peace. I am no opposed to development but let the current zoning stand.

Please.



Stan Kaye

SK - Design and Consulting LLC  
[www.skdesignandconsulting.com](http://www.skdesignandconsulting.com)  
352-317-2855 - mobile  
Google voice worldwide (909) 742-9533

## Jeffrey L. Hays

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**From:** Hartline, Melinda <MHartline@feldinc.com>  
**Sent:** Friday, October 4, 2019 12:33 PM  
**To:** Planning  
**Cc:** Richard C. Hartline (rhgator@comcast.net)  
**Subject:** Zoning Application #CPA-05-19

To The Board of County Commissioners:

Since 2009, we have been the homeowners at 1225 NW 89<sup>th</sup> Terrace, Gainesville, where this “facility” may be constructed in the near future. We received a letter for an opportunity to provide comments as to this future construction.

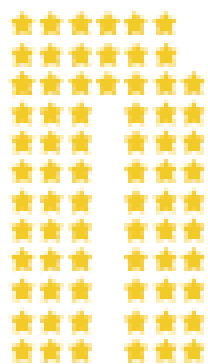
1. We purchased this as our second home and someday our retirement home based on the lovely wooded lots behind our home. Without knowing as to how much of this pristine land will be destroyed to accommodate this new construction, we are requesting the following to protect our home values:
  - a. We request that a minimum 8’ concrete wall be constructed and maintained on both sides so that we cannot view the proposed construction. We are not aware if the construction is multi-story or not but request it to be high enough to block out our view.
  - b. We are not aware if the entire wooded space to our property line will be removed or not. We do not want to walk out our back door to view a parking lot, delivery vehicles, or see people looking back at us.
  - c. If possible and if it’s an option, might there be a buffer of trees of several feet remain that would block the view.

We are the homeowners and we are not sure that this will impact our home values. That means less taxes for you to budget and spend in Alachua County. Think of the long term property values associated to all of the Eagle Point neighborhood residences impacted by this construction.

Please make the RIGHT decision as if this was your home and backyard views impacted. Put yourself in our shoes.

Signed,  
Melinda and Richard Hartline  
1225 NW 89<sup>th</sup> Terrace,  
Gainesville, FL

**Melinda C. Hartline**  
Director, Communications  
South Region  
**Feld Entertainment, Inc.**  
800 Feld Way, Palmetto FL 34221  
Phone Number: **Direct** (813) 494-7768



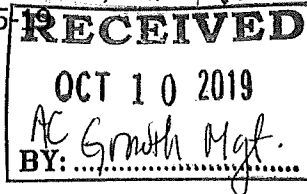
**PLEASE WRITE LEGIBLY/USE DARK INK**

**RETURN THIS PORTION**

Comments: No development on that land. Keep it as is. We  
need preserve more grass lands and wood lands.

Gainesville need to keep "green", for next generation.

**SIGNED:** Xueli Zhao, Boxuan Yang  
APPLICATION # CPA-05-



06326-030-161 CPA05ZOM1219  
YANG & ZHAO W/H  
8629 NW 10TH PL  
GAINESVILLE, FL 32606

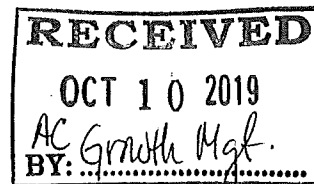
**PLEASE WRITE LEGIBLY/USE DARK INK**

**RETURN THIS PORTION**

Comments: No development on that land. Keep it as is. We need  
preserve grass lands and wood lands as much as possible.

Gainesville need to keep "green", for next generation.

**SIGNED:** Xueli Zhao, Boxuan Yang  
APPLICATION # ZOM-12-19





October 25, 2015

Alachua County Dept of Growth Management  
Office of Planning and Development  
Administration Annex – 10 S.W. Second Ave.  
3<sup>rd</sup> Floor  
Gainesville, Florida 32601

Re: **Zoning Applications #CPA-05-19 (Large Scale Comprehensive Plan Amendment)**  
and **#ZOM-12-19 (Rezoning)**

Dear Planning Board Commissioners,

As property owners of the *Eagle Point Subdivision*, we are responding to your request for comments as stated in your Notice of September 30, 2019 and October 14, 2019. Notification did not include all homeowners of this community, only those adjacent to the property. This rezoning will affect all those home owners living in this subdivision and the surrounding area.

As members of the Eagle Point community **we strongly oppose the rezoning** of the property along Ft. Clarke Boulevard from **Medium Density 4-8 dwelling units/acre to 8-14 dwelling units/acre and retail space** and should remain as currently zoned: institutional and single family homes.

We are inundated with an overflow of cars using Ft. Clarke Boulevard, and adding 400-700 more vehicles from this apartment complex and retail stores to the already eroded and potholed roads, with existing bumper-to-bumper commuter traffic, would NOT improve the congestion we are dealing with on Ft. Clarke Boulevard.

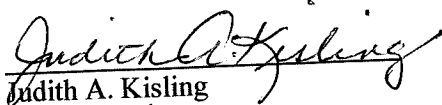
Ft. Clarke Boulevard and 23<sup>rd</sup> Avenue, both 2 lane roads, and Newberry Road services the traffic from:

- Fire and Rescue Station on Ft. Clarke Boulevard,
- The businesses located behind the Legacy Apartments off Ft. Clarke Boulevard,
- Hidden Oaks Elementary and Ft. Clarke Middle Schools,
- Commuters and shoppers traveling to Newberry Road via Ft. Clarke Boulevard,
- Santa Fe College students,
- Student Housing Complexes and the Subdivisions along 83<sup>rd</sup> Street,
- The many other apartment complexes in the surrounding area,
- Legacy, Eagle Point, Chelsea and Paddock Club subdivisions and the Harbor Chase Assisted Living facility on Ft. Clarke Boulevard.

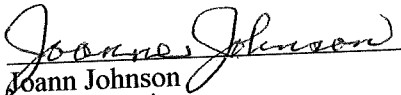
We live in a subdivision considered fairly safe. Adding up to 1000 new residents to our "back yard" would be detrimental to our safety and well-being.

We ask that you consider the residents and commuters in this area who will have to deal with the additional traffic and safety concerns to **NOT** grant the zoning applications #CPA-05-19 (LARGE SCALE COMPREHENSIVE PLAN AMENDMENT) AND #ZOM-12-19.

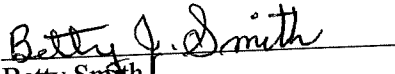
Sincerely:



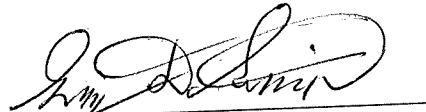
Judith A. Kisling  
9006 NW 9<sup>th</sup> Lane  
Eagle Point  
Gainesville, FL 32606



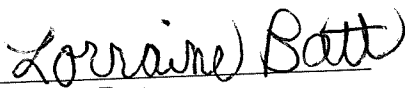
Joann Johnson  
9015 NW 9<sup>th</sup> Lane  
Eagle Point  
Gainesville, FL 32606



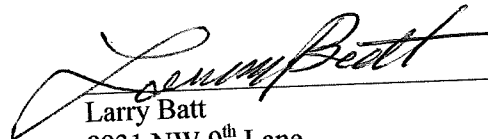
Betty Smith  
1054 NW 90<sup>th</sup> Drive  
Eagle Point  
Gainesville, FL 32606



Gary Smith  
1054 NW 90<sup>th</sup> Drive  
Eagle Point  
Gainesville, FL 32606



Lorraine Batt  
8931 NW 9<sup>th</sup> Lane  
Eagle Point  
Gainesville, FL 32606



Larry Batt  
8931 NW 9<sup>th</sup> Lane  
Eagle Point  
Gainesville, FL 32606

October 30, 2019

To Whom It May Concern:

We write to register our strong opposition to the proposals for development along the Fort Clarke Boulevard Corridor. We speak specifically to the following items:

1. Zoning Applications #CPA-05-19 (Large Scale Comprehensive Plan Amendment)
2. ZOM-12-10 (Rezoning)

Our objections to the proposed development derive from several likely consequences if such development is allowed to go forward: 1) unacceptable traffic congestion; 2) undue burden on local schools; 3) heightened safety concerns, especially for children who attend those schools; and, 4) unnecessary additional retail space in this area of the county.

**Unacceptable Traffic Congestion:** In addition to significant local resident traffic, Ft. Clarke Boulevard has become a major through-street for non-residents headed north toward Santa Fe College and south toward West Newberry Avenue. Traffic on Ft. Clarke Boulevard continues to increase to levels that make it difficult for those of us living in adjacent neighborhoods to even get into or out of our neighborhoods. At certain times of day (especially during the morning rush hour), residents may have to wait as long as 5 minutes simply to turn onto Ft. Clarke Boulevard from our neighborhood entrances. The lineup of cars waiting to turn into or out of Hidden Oaks Elementary School, the slowdown caused by the 20-mph speed limit during school hours, and the crossing guards on Ft. Clarke Boulevard and at the corner of Ft. Clarke Boulevard and NW 23rd Street (who stop traffic to allow children and parents/guardians to safely cross the two roads) all create major log jams for anyone trying to get into or out of adjacent streets. The projected addition of as many as 700 more cars from new residents and untold numbers of cars traveling to the proposed new retail outlets will simply exacerbate this problem to the detriment of quality of life for current residents. Moreover, approval of the referenced plan will bring the county substantial additional costs for alleviating likely traffic congestion, including the possible addition of traffic lights, necessary widening of Ft. Clarke Boulevard, and more police patrol during school hours to ensure children's safety (see item below).

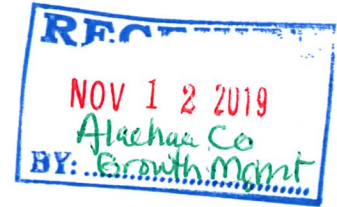
**Burden on Local Schools:** Two sizable schools, Hidden Oaks Elementary School and Ft. Clarke Middle School, are situated on or near Ft. Clarke Boulevard close to the proposed site for rezoning and development. These excellent schools are already overcrowded and significantly burdened by recent large increases in numbers of students because of earlier growth in our area (i.e., 23West apartments). A visit to these two schools will reveal that they are already being forced to use temporary classroom structures to accommodate current overcrowding. We question whether the developers have even considered the likely burden an additional 200-350 new dwellings will impose on these two schools? What specific measures, if any, have been discussed to alleviate even more overcrowding?





Dorothy McGinnes

1313 NW 89<sup>th</sup> Terrace  
Gainesville, Florida 32606



November 6, 2019

Dear Honorable Zoning Commission Members:

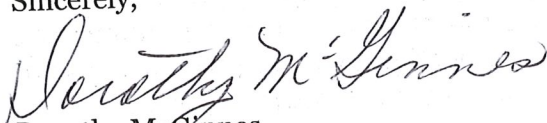
As a home owner of property that backs up to the parcel of land up for rezoning, I would like to voice my vote against Zoning Application CPA05ZOM1219. I built my home 22 years ago with the understanding that the property, which was at that time a tree farm, would eventually be home to a local church. I have no objections to a church or care facility for the elderly being built behind my home. However, I do believe that apartments will add unnecessary noise pollution and much additional traffic on Fort Clarke Blvd and cause more gridlock especially in the Newberry Road and I-75 area.

A few years ago a project on the northeast corner of Fort Clarke Blvd. and Newberry roads (across the street from this current zoning request) was turned down because of the extra car traffic it would generate. Then with the development west of us from apartments 23West on 23rd Avenue and 98th Street and also the massive amount of homes and multi units being built in the Town of Tioga and the Parker Road area, traffic is already causing a major slow down of traffic flow in the area of Newberry and I-75 roadways as well as 23rd and 39th Avenues in this area. I realize that the developers are from Macon and Atlanta where traffic is a nightmare and our traffic is minimal to them. However, our roadways are in much worse shape than those in the Atlanta area. I've just spent time in the area visiting family and can attest to the amount of traffic there.

My additional concern is the safety and peacefulness our current neighborhood. I'm certain none of you making this decision would want a large multi-unit apartment complex in your back yards. Please think about those of us who would have to live with the noise and extra traffic associated with such a large complex so close to our homes. While the developer plans to leave "green space," it will not be sufficient to block the noise generated from the apartments.

Also, where would my favorite "pet" raccoon go to eat if he was chased out of the woods behind my house and wasn't here to eat the bird food he loves so much. :-)

Sincerely,

  
Dorothy McGinnes

ALACHUA COUNTY  
DEPT. OF GROWTH MANAGEMENT/OFFICE OF PLANNING AND DEVELOPMENT  
ADMINISTRATION ANNEX - 10 S.W. SECOND AVENUE, 3<sup>rd</sup> FLOOR  
GAINESVILLE, FLORIDA 32601  
(352) 374-5249



November 4, 2019

Notice of Comprehensive Plan Amendment Application # CPA-05-19

Dear Property Owner:

As owner of property within the vicinity of the area covered by this request, you are hereby notified of the above comprehensive plan amendment application described on the attached map. The comprehensive plan amendment process on this item will include three (3) public hearings: An advisory hearing with the **Local Planning Agency/Planning Commission** followed by a transmittal hearing and an adoption hearing with the **Board of County Commissioners**. The **Local Planning Agency/Planning Commission** hearing and the **Board of County Commissioners** hearings will be held in the **Jack Durand Auditorium** on the second floor of the Alachua County Administration Building located at 12 SE 1<sup>st</sup> Street Gainesville, FL 32601.

Planning Commission date and time:

**Wednesday, November 20, 2019 at 6:00 p.m.**

Board of County Commissioners date and time: **To be determined**

You are invited to attend and participate in the hearings.

For your information, we have enclosed a comprehensive plan amendment/zoning map and description of the application. The application files are accessible for review and a copy of the staff report will be available the Friday before the meeting.

You are encouraged to provide written comments in the space provided below and return your response to us no later than **5:00 p.m., Tuesday, November 12, 2019**. You may also email comments to: [planning@alachuacounty.us](mailto:planning@alachuacounty.us). This will allow us to make your response a part of the information packet presented to the Commissioners prior to the public hearings. Written comments received after this date will be given to the Planning Commissioners at the hearing.

If you have any questions, or desire further information, please contact the Development Services Section at (352) 374-5249.

**PLEASE WRITE LEGIBLY/USE DARK INK**

**RETURN THIS PORTION**

Comments: Recognizing that the Eagle Point Subdivision was prone to flooding, The Alachua County Commission in Aug. 2018 gathered information from a local engineering firm to apply for a grant to improve the drainage in the Oak Crest - Eagle Point subdivisions. The engineering firm found that in order to lower flood waters by 2 feet a large stormwater pond 460,000 cubic yards of excavation at a cost of \$13,000,000 would be needed. This money fits 660 residents. Additional expenditures would only exceed that need.

**SIGNED:**

APPLICATION # CPA-05-19

06326-030-182 CPA05ZOM1219  
KELLEY GEORGIA ANNE  
8804 NW 11TH PL  
GAINESVILLE, FL 32606



Robert Craig  
FYI AND CONSIDERATION  
Nov 7, 2019 at 2:01:18 PM  
GEORGIA



Dear Alachua County Commissioners,

My husband and I own a home in the Eagle Point Subdivision, parcel 182.

Our subdivision, we feel, would be greatly impacted by changing the zoning of the parcel for sale on Fort Clark Blvd. ref: CPA-05-19, STR320919 from PD Institutional and R-1A Institutional to Medium High Density Residential.

Acknowledging that serious storm water drainage problems exist in the Eagle Point Subdivision the Alachua County Commissioners paid a local engineering firm to study the matter ("Alachua County Oak Crest - Eagle Point Drainage Improvements Application Package, August 2018") This being a Hazard Mitigation Grant Program grant. Two proposals were enumerated to help attenuate the storm water issues. Proposal one, called for the purchase and demolishing of two homes at a cost of \$812,000. This would have benefitted two properties. Another proposal called for the construction of a large storm water pond, 460,000 cubic yards of excavation, at a total cost of \$15,000,00. This would have lowered floodwaters by two feet and benefitted 600 residents.

Additionally the DOT Stormwater Pond located at the corner of Newberry Road and Fort Clark Blvd. has standing water in it year round. It does not serve the purpose of holding and draining water. The county routinely has to pump water from it during periods of heavy rainfall.

The standing water in the Eagle Point Subdivision is considered to be hazardous (toxic, unsafe, a safety to life issue). The paving and building that would occupy some 24 acres under the proposal would only make matters much worse for all concerned. A previous buyer pulled of the sale of the property over the issue of there being large deposits of clay on the site.

They reasoned that It would be much to costly to provide for retention/ detention ponds and the control of storm water runoff and drainage as required by county and state code and by the provisions of the St. John's

River Water Management District.

Storm water control along Ft. Clark Blvd., already an issue of serious concern of the Alachua County Commissioners and Planning Board, would only be more of a concern financially and to the health and safety of all living, working and being schooled in and near Ft. Clark Blvd. To not grant a zoning change would be a wise and prudent decision by those elected and employed to serve the needs of more than 600 homeowners, the elderly in the assisted care facilities, the students in Hidden Oak Elementary School, Fort Clark Middle School, and Trilogy School and others in the Fort Clark area. If the parcel for sale was considered to be sufficient for an institutional concern then there would seem to have to be a compelling reason to change that. Economic gain would not fit that criteria.

Sent from my iPad

Cordially  
Ruth M. Gray  
Georgia Kelley

Robert Craig  
Zoning Application # CPA-05-19  
Oct 8, 2019 at 2:03:44 PM  
GEORGIA  
planning@alachuacounty.us  
GEORGIA

Dear Alachua County Planning Commissioners and Alachua County Commissioners

Please accept this email as to our input as to the propose zoning changes under consideration for ZoningApplication # CPA-05-19. My wife Georgia Kelley and I own a home in the Eagle Point Subdivision ( parcel 182 ).

We object to the proposed zoning change for the following reasons:

1. If the zoning is currently R- 1A Institutional and the land was deemed appropriate for those purposes then what would now make it sufficient for different usages? It would be incumbent upon the Planning Commission and County Commission to give the residents sufficient reasons for considering any changes. To not give full disclosure and transparency in this matter is to conceal motivation and intent. The intent of the seller and buyer to profit from the sale of the property should not outweigh the needs of the greater community surrounding the parcel under consideration.

2. There are some 200 homes that would be sufficiently impacted by the building of apartments on the site under consideration.

(A) property values and the desirability of owning a home in Eagle Point will be diminished.

(B) the sense of community will be altered negatively as to the security, safety and well being of persons and families of all ages. Police protection and presence will increase as will crime.

(C) infrastructure needs, flooding and drainage already a concern will be more of a concern. Who will be responsible for such and at what cost to the county, residents, and developers? The Eagle Point residents spent much time, effort and money in getting Robin Shore to come back and build detention and retention areas that should have been built into the original

subdivision. This being some 20 years after the so called completion of the project. Why county inspectors did not catch this is to speak of the inefficiencies of government in seeing to the proper adherence to water management requirements. Codes without enforcement are useless. A new developer might be similarly disposed to cutting corners and county officials might also neglect to hold the developer accountable. Thus, putting the home owners in more jeopardy. After heavy rains retention ponds are full and the county has to bring pumps in to move water out of low areas with Fort Clark Blvd in front of the entrance to Eagle Point and well into the subdivision being under water for many days after the rains stop. Pumps and hoses are frequently overtaxed and broken causing further delays in removing standing water and in accessing our homes.

Flooding might only get worse with more concrete, asphalt and the like. (D) green ways and sufficient buffers to attenuate sound, light, and unpleasant smells ( dumpsters) will not be sufficient enough for the residents whose homes border the development. Aesthetically buildings towering over single family homes, parking lots and light pollution will be undesirable. To disrupt a way of life common to us is to make for angry citizens and voters. Developers will leave and apartment dwellers come and go but home owners spend much time effort and money in enhancing their homes and property and stay much longer than those previously mentioned. My wife and I have spent some \$70,000 in building an outdoor environment with a pool for our enjoyment. Others have done likewise. We spend much time outside and would not like our quality of life to be compromised.

(E) traffic already congested will only get worse. With 2 public schools within very close proximity to the proposed apartments the safety of walking and bike riding students will be of greater concern. Who will pay for crossing



guards, infrastructure, and safety to life remedies?

(F) school overcrowding and growing facility needs will have to be accounted for by the school board who face ever present budget shortfalls. Realtors and home sellers will be impacted as Eagle Point dwellings will be less desirable.

3 What would be a reasonable balance of different types of land use within an area? Already there are 2 schools, 2 assisted living facilities, 4 apartment complexes and a fire station next to Eagle Point. How many other subdivision areas have a similar configuration? Few if any I would suppose. An additional apartment complex would further unbalance a reasonable configuration of types of buildings and uses within a short space of available property.

4 Eagle Point residents are busy with work, raising kids, taking care of the sick and informed, maintaining their homes and property and don't have the time and resources of government and developers in prevailing and attending to matters of rezoning. We are at a unique disadvantage in comparison to government staff and paid representatives of developers. County government wants a streamlined system and policies to minimize controversy and make for the easiest passage of rules governing zoning changes and other matters before them. A protracted process for wise and thoughtful consideration is inefficient for officials surrounded by controversies and challenging decision making. I am hopeful yet wary of the influences of developers and sellers of the property in question and implore you to weigh the considerations of homeowners heavily in your deliberations and voting on the proposed zoning change. Voting as a block of Eagle Point residents could effect the outcome of an election.

Robert Craig  
Georgia Kelley

**PLEASE WRITE LEGIBLY/USE DARK INK**

**RETURN THIS PORTION**

Comments:

I <sup>object</sup> strongly to this rezoning

The developed properties across the street are  
(4 to 8) units per acre. Why should this site be  
changed to (8 to 14) units per acre

Please consider the negative impact of such an increase.

**SIGNED:** Bruce R. Wessells

APPLICATION # CPA-05-19

06326-010-078 CPA05ZOM1219

WESSELLS BRUCE R

1419 NW 89TH

GAINESVILLE, FL 32606

RECEIVED

NOV 1 2 2019

Alachua County  
By: Growth Management

**PLEASE WRITE LEGIBLY/USE DARK INK**

**RETURN THIS PORTION**

Comments:

I object to this rezoning.

(4 to 8) units per acre is reasonable, (8 to 14) is excessive.

The rezoning changes the maximum from about 100  
to 350. This is an absurd increase.

**SIGNED:** Bruce R. Wessells

APPLICATION # ZOM-12-19

RECEIVED

NOV 1 2 2019

Alachua County  
By: Growth Management