

**LEGISLATIVE #**

**110740A**



TO: City Plan Board

Item Number: 7

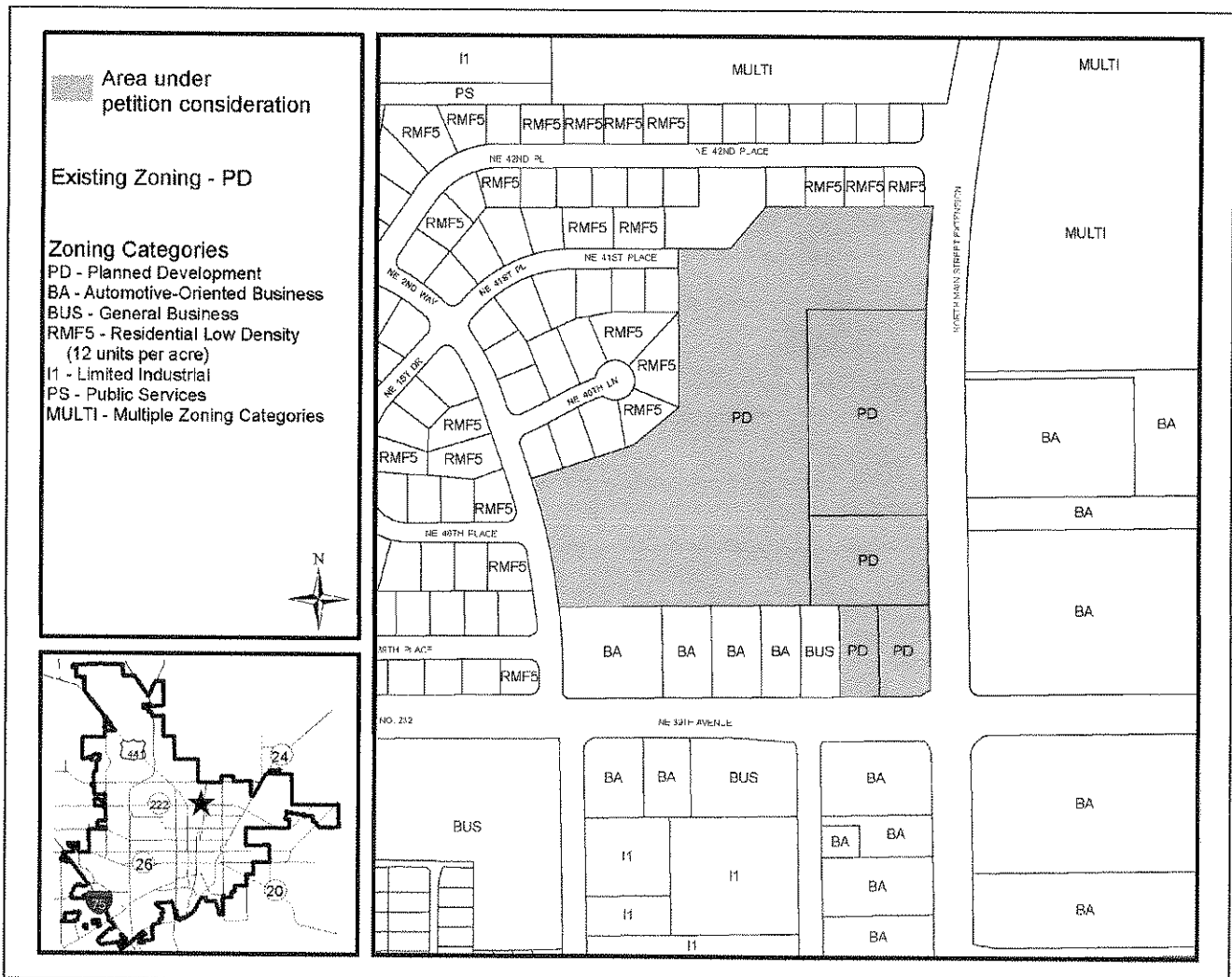
FROM: Planning Department Staff

DATE: January 26, 2012

SUBJECT: Petition PB-11-158 PDA. Causseaux, Hewett, and Walpole, Inc., agent for Duval Motorcars of Gainesville, Inc. Amend the PD (Planned Development district) zoning ordinance # 100520 to remove Condition #24 pertaining to a time limit for filing an application for development plan review. Located in the 3900 block of North Main St., west side.

**Recommendation**

Staff recommends approval of Petition PB-11-158 PDA.



## Description

This petition is a request to amend Ordinance #100520 for the Gainesville Auto Town Center Planned Development (PD). The property is located at 3900 North Main Street, northwest corner of NW 39<sup>th</sup> Avenue and North Main Street. The development site consist of five separate parcels totaling approximately 18.4 acres. The development was originally approved by the City Commission as Ordinance 070706 on April 14, 2008. The first phase of the PD is currently occupied by the Mercedes Benz dealership which occupies approximately 12.8 acres of the site. The remainder of development site is proposed as phase II and includes approximately 5.6 acres. On September 15, 2011 the City Commission approved a request to extend the valid period of the PD and to modify the list of uses applicable to the undeveloped Phase II portion.

The applicant's request is to remove Condition #24 of Ordinance 100520, regulating the PD as listed below.

### Condition 24.

Development plan review for Phase II shall be filed no later than three years from the date of adoption of this Ordinance No. 100520. Construction must commence no later than eighteen (18) months after the approval of the Final Development Order for Phase II. Once construction commences, the development must maintain an active building permit in accordance with the requirements of the Building Code. If an active building permit is maintained, the development may diligently proceed towards completion of the planned development. Failure to comply with those requirements shall render this development order null and void.

## Justification and Basis for Recommendation

The proposed change will not alter any other conditions of the PD. The requested amendment will not alter the previous findings of the City Commission as to the requirements of Section 30-216 concerning the following:

1. Conformance with the PD objectives and the comprehensive plan
2. Concurrency.
3. Internal compatibility
4. External compatibility
5. Intensity of development
6. Usable open spaces, plazas and recreation areas.
7. Environmental constraints.
8. External transportation access
9. Internal transportation access
10. Provision for the range of transportation choices.

## Unified control & Phasing

The development is comprised of five separate parcels under ownership of DUVAL MOTORCARS OF GAINESVILLE. The requested modification is applicable only to Phase II.

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### **Development time limits**

The development is scheduled to be implemented in two phases; phase I has been completed. This modification will remove the requirement to file an application for development plan approval within three years of the adopted date of the PD. The amendment will not alter the five-year valid period of the PD.

### **Bonds**

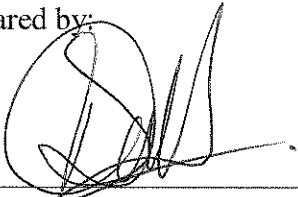
The development remains subject to the bonding requirements for financial assurances in relation to the proposed mitigation and/or required improvements as a result of the original PD.

Respectfully submitted,



**Ralph Hilliard**  
**Principal Planner**

Prepared by:



**Lawrence Calderon**  
**Lead Planner**

**Table 1****Land Uses, Zoning and Existing Uses of Surrounding Properties****Adjacent Existing Uses**

<b>North</b>	Multi-family residential, duplexes and quadruplex
<b>South</b>	Gasoline service station and convenience store
<b>East</b>	Nissan Dealership
<b>West</b>	Multi-family residential, duplexes and quadruplex

**Adjacent Land Use and Zoning**

	<b>Land Use Category</b>	<b>Zoning Category</b>
<b>North</b>	Residential Low Density	RMF-5
<b>South</b>	Commercial	BA
<b>East</b>	Commercial	BA
<b>West</b>	Residential Low Density & Commercial	BA & RMF-5

**List of Appendices****Appendix A. Technical Review Committee Comments**

Comments from Planning

**Appendix B. Required Documents for PD Amendment Petition PB-11-158 PDA  
Application****Appendix C. Documents related to the approved PD, Petition PB-10-18 PDA.  
Ordinance #100520**