-40 SURFACE PARKING SETBACK UNE PER (ULDC 407.68(c)1.a.)

GRACE MARKETPLACE Design Plat DB-11-145 SUB

Gainesville City Commission February 16, 2012

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Review and Approval Process



Development Review Board

On January 12, 2012, the City of Gainesville Development Review Board (DRB) unanimously approved the proposed Grace Marketplace Design Plat, with the staff conditions and recommendations provided as Exhibit 1 in the Development Review Staff Report, dated December 8, 2011.

Tonight, the City Commission should approve the Grace Marketplace Design Plat as:

- □ recommended by staff;
- □ unanimously approved by the DRB; and
- per the competent and substantial evidence presented.

Future Land Use Element Policy 3.1.1 b. and Conservation, Open Space, & Groundwater Recharge Element Policy 1.1.1.b

Wetlands: Developments containing wetlands must avoid loss of function or degradation of wetland habitat and/or wetland hydrology as the highest priority.

Overview: Standards and Guidelines for environmental resource protection

The proposed system avoids new wetland impacts to previously unaffected areas and where impacts are unavoidable, minimizes adverse impacts to wetland function. The proposed road and right-of-ways replace current unpaved roads/trails used for several decades and result in only wetland edge impacts. Unavoidable minor wetland impacts result from the construction of the roadway, utility infrastructure, and stormwater ponds.

An environmental analysis and Mitigation Plan has been prepared and submitted to City staff to off-set the minor wetland impacts. The wetland function of the proposed mitigation area will be increased through a combination of wetland enhancement and preservation.

Wetlands, by their nature, generally exist as a system. Specifically, this project causes no loss of function or degradation of the wetland system.

Future Land Use Element Policy 3.1.1.d.

Wellfields: Developments must be consistent with Policy 2.3.2 of the Conservation, Open Space and Groundwater Recharge Element.

Overview: Standards and Guidelines to protect the City's Wellfield resources

The project site is located within the Secondary and Tertiary Wellfield protection zones. Policy 2.3.2 of the Conservation, Open Space and Groundwater Recharge Element requires that proposed development be in compliance with the Alachua County Murphree Wellfield Protection Code (ACMWPC). The ACMWPC regulates the use of hazardous materials within the wellfield protections zones. The use of hazardous materials is not proposed as part of the Grace Marketplace Subdivision. Future development of the lots will comply with the wellfield protection zone requirements.

Design Plat approval does not entitle nor permit any action in conflict with either Policy 3.1.1. d or Policy 2.3.2.

Future Land Use Element Policy 3.1.4 and Conservation, Open Space, & Groundwater Recharge Element Policy 2.4.10

Floodplain: The City shall protect floodplain areas through existing land development regulations.

Overview: Guidelines for City Initiated Floodplain Protection

The site will be designed and developed in accordance with the adopted Planned Development conditions of approval and the City's LDC to ensure that soil erosion is not enhanced and that non-invasive flora and fauna are not permanently impacted in an irreversible, harmful manner as a result of this project. Stormwater management facilities will also be designed in accordance with City of Gainesville and St. Johns River Water Management District requirements to ensure unnecessary stagnant water is not created on this site.

Any proposed permanent structures within the floodplain will be at least one foot above the 100-year flood elevation.

The City has adopted Land Development Regulations and site specific Planned Development conditions, which satisfy Policy 3.1.4.

Future Land Use Element Policy 4.1.1 – Industrial Future Land Use Map Category

Overview: Allowed Uses within the Industrial FLU Category

The Grace Marketplace Subdivision consists of two Industrial zoned lots (Lot 1 and 3) and one Planned Development zoned lot (Lot 2).

The Planned Development zoning allows retail, office, service, and residential uses, all of which are explicitly allowed within the Industrial land use category when they are "designed sensitively" and are no more than 25% of the industrial area. Lot 2 was approved as a Planned Development zoning district. LDC Section 30-21 identifies the intent of the PD zoning district and allows for sensitive and unique design features that conform to all aspects of the comprehensive plan.

The 9.78 acre Lot 2 Planned Development area represents less than 25% of the overall 65 acre parcel that was subdivided for rezoning purposes. City staff has also stated that the residential, office, retail, and service uses within Industrial land use categories throughout the City is less than 25%. Therefore, the proposed uses are consistent with the 25% limitation whichever way it is interpreted.

Future Land Use Element Policy 4.7.1 – FLU Categories and Corresponding / Implementing Zoning Districts

Planned Development (PD) is a permitted zoning district within the Industrial land use category, and is therefore consistent with the comprehensive plan.

The City has adopted a site specific Planned Development, which is consistent with Policy 4.7.1.

Stormwater Management Element Policy 1.6.3 – Erosion and Sedimentation

<u>Overview:</u> Ensures compliance with the City's erosion and sedimentation requirements during and after construction.

The proposed development will meet best management practices for erosion and sediment control during construction according to City of Gainesville Land Development Regulations, St Johns River Water Management, and Florida Department of Environmental Protection requirements.

The City has adopted Land Development Regulations, which satisfy Policy 1.6.3

Stormwater Management Element Policy 1.6.5 – Stormwater Management Facility Inspection

<u>Overview:</u> Requires inspection of stormwater management facilities during and after construction

The proposed stormwater management facilities will be inspected during construction and an Operation and Maintenenance Entity will be established according to City of Gainesville Land Development Regulations, St Johns River Water Management, and Florida Department of Environmental Protection requirements.

Local, Regional, and State requirements will be enforced, which satisfy Policy 1.6.5

Consistency with City's Official Roadway Map

The proposed design plat expands the City's Official Roadway Map to create two (2) public roadways. All lots will have public roadway access.

The area is generally characterized by limited public right-of-way and private roadways. The design plat establishes a public roadway network where a private network currently exists.



Land Development Code Consistency

- The design plat includes three (3) lots and associated right-of-way. The zoning districts associated with the impacted area are General Industrial (I-2) and Planned Development (PD). Neither zoning district has established minimum lot sizes.
- All three (3) lots contain a minimum 60' roadway frontage along the associated right-of-way. LDC Section 30-336(8) states where zoning districts having no lot size, lot design shall provide between 24' and 60' width roadway frontage for driveway connections. Therefore, the proposed design plat meets the existing design regulations associated with the zoning regulations.
- Lots 1 and 3 will be required to meet the development standards for the I-2 zoning district. Lot 2 must meet the development requirements outlined in the Grace Marketplace PD Ordinance.
- The design plat is consistent with the approved PD Ordinance Condition #1, creating a legal subdivision with associated right-of-way.

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Conservation, Open Space, & Groundwater Recharge Element Policy 1.1.1.b – Standards to Protect Environmental Resources

The proposed wetland mitigation program submitted as part of this design plat application is consistent with and enhances the intent of the City's LDC Sections 30-300 through 30-304. These surface water and wetland regulations ensure consistency with the relevant criteria of Section 373.414(1), F.S.

The proposed mitigation will offset the adverse effects caused by the regulated activity. The Mitigation Plan will be reviewed and approved by the City of Gainesville, St Johns River Water Management District, and US Army Corps of Engineers prior to development of the site.

• The proposed mitigation is located on the subject property and within the same subbasin and basin. No offsite mitigation is proposed.

Conservation, Open Space, & Groundwater Recharge Element Policy 2.4.10 – Floodplain Protection

•All development will be consistent with the City of Gainesville Land Development Code (LDC) regulations regarding development within the floodplain. All necessary permits will be acquired for development within the floodplain.

- •No flood channel will be filled in as a result of the Grace Marketplace Subdivision.
- •No prohibited permanent structures are proposed within the flood channel.
- The storage of harmful materials within a flood channel is not proposed.