

1
2 **ORDINANCE NO. 060111**
3 **0-06-69**
4

5 **An Ordinance of the City of Gainesville, Florida; rezoning**
6 **certain lands in the City, as more specifically described**
7 **in this Ordinance, and amending the Zoning Map Atlas**
8 **from the zoning category of "MU-1: 8-30 units/acre**
9 **mixed use low intensity" to the zoning category of**
10 **"Planned Development District"; located in the vicinity**
11 **of 2337 Southwest Archer Road, as more specifically**
12 **described in this Ordinance; adopting a development**
13 **plan report and development plan maps; providing**
14 **conditions and restrictions; providing for enforcement**
15 **and penalties; providing a severability clause; and**
16 **providing an immediate effective date.**
17

18
19 **WHEREAS**, by initiation of a petition by the property owner, publication of notice of
20 a public hearing was given that the Zoning Map Atlas be amended by rezoning certain
21 property from the zoning category of "MU-1: 8-30 units/acre mixed use low intensity"
22 to the zoning category of "Planned Development District"; and

23 **WHEREAS**, notice was given and publication made as required by law of a public hearing
24 which was then held by the City Plan Board on May 18, 2006; and

25 **WHEREAS**, notice was given and publication made of a public hearing which was then held
26 by the City Commission on June 26, 2006; and

27 **WHEREAS**, the City Commission finds that the amendment of the Planned Development
28 District ordinance is consistent with the City of Gainesville 2000-2010 Comprehensive Plan.

29 **WHEREAS**, at least ten (10) days notice has been given once by publication in a
30 newspaper of general circulation prior to the adoption public hearing notifying the public of this

1 proposed ordinance and of a Public Hearing in the City Commission Meeting Room, First Floor,
2 City Hall, in the City of Gainesville; and

3 **WHEREAS**, pursuant to law, notice has also been given by mail to the property owners
4 whose land will be regulated by the adoption of this Ordinance and interested parties, at least ten days
5 prior to adoption of this ordinance; and

6 **WHEREAS**, Public Hearings were held pursuant to the published notices described at which
7 hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

8 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
9 **CITY OF GAINESVILLE, FLORIDA:**

10 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by
11 rezoning the following described property from the zoning category of "MU-1: 8-30
12 units/acre mixed use low intensity" to the City of Gainesville zoning category of "Planned
13 Development District";

14 See Exhibit "A" attached hereto and made a
15 part hereof as if set forth in full.
16

17 **Section 2.** The City Manager or designee is authorized and directed to make the
18 necessary change in the Zoning Map Atlas to comply with this Ordinance.

19 **Section 3.** The Development Plan attached to this Ordinance, which consists of the
20 following:

- 21 1. the development plan report entitled "Gatorwood Apartments Planned
22 Development (PD) Report dated October 2006", attached and identified as
23 Exhibit "B"; and

1 2. development plan maps consisting of 3 sheets: 1) "Existing Conditions Map"
2 marked received on October 4, 2006; 2) "Existing Conditions Supplemental Map"
3 marked received on October 4, 2006, and; 3) "PD Layout Plan Map", marked
4 received on October 4, 2006; identified as Exhibit "C", are incorporated and made
5 a part of this Ordinance as if set forth in full.

6 The terms, conditions, and limitations of the Development Plan shall regulate the
7 use and development of the land described herein zoned to the category of Planned
8 Development District as provided in Chapter 30, Land Development Code of the
9 City of Gainesville (hereinafter referred to as "Land Development Code"). In the
10 event of conflict between the provisions of the development plan report (Exhibit
11 "B") and the development plan maps (Exhibit "C"), the provisions, regulations, and
12 restrictions of the development plan maps (Exhibit "C") shall govern and prevail.

13 **Section 4.** Any other provision of this Ordinance to the contrary notwithstanding, the
14 following additional conditions, restrictions and regulations shall apply to the development and use of
15 the land:

- 16 1. Except as expressly provided in this Ordinance, the Planned Development shall be
17 governed as if it were zoned MU-1 (mixed use low intensity district).
- 18 2. The development is limited to a minimum density of 30 dwelling units per acre, and a
19 maximum density of 40 dwelling units per acre.
- 20 3. The development is limited to a maximum lot coverage not to exceed 60 percent.
- 21 4. The development is limited to no less than 20 percent pervious, open space.

- 1 5. The development is limited to a maximum building height of 70 feet, and a maximum
2 building height of 6 stories.
- 3 6. The maximum amount of floor area devoted to retail uses and the leasing office is
4 limited to a maximum of 8,000 square feet.
- 5 7. Of the maximum allowed floor area for retail use, no one business shall be subject to a
6 minimum or maximum amount of gross leasable nonresidential floor area.
- 7 8. Uses involving outdoor storage and drive-through facilities are prohibited. Accessory
8 transmission, retransmission and microwave towers may be allowed by Special Use
9 Permit in accordance with Article VI of the City Land Development Code.
- 10 9. The permitted uses are limited to the following uses permitted by right within the
11 planned development:

SIC	Uses	Conditions
	Any accessory uses customarily and clearly incidental to any permitted principal use	
	Compound uses	
	Eating places	
	Outdoor cafes	As defined in Article II and in accordance with Article VI
	Multi-family dwellings	In accordance with the requirements of the RMF-6, RMF-7 or RMF-8 zoning districts and the additional requirements of Section 30-64, and the requirements of Section 30-56
MG-53	General merchandise stores	
MG-54	Food stores	
MG-56	Apparel and accessory stores	
MG-59	Miscellaneous retail	Excluding direct selling establishments (IN-5963); fuel oil dealers (IN-5983); and liquor

- 1
- 2 10. Accessory uses considered customarily incidental to a permitted principal use are
- 3 limited to the uses permitted within the planned development.
- 4 11. Incidental residential accessory uses shall mean storage rooms, management offices,
- 5 club or game rooms, and recreational and laundry facilities intended for use solely by
- 6 the residents and their guests of the planned development.
- 7 12. Multi-family dwellings shall be the predominant use in all compound uses.
- 8 13. All relevant TCEA (Transportation Concurrency Exception Area) requirements shall
- 9 be met prior to the issuance of a certificate of occupancy for that building or use.
- 10 Proof of meeting these requirements shall exist in the form of a Certificate of
- 11 Preliminary and Final Concurrency issued by the City.
- 12 14. The total number of vehicle (automobile) parking spaces provided for multi-family
- 13 dwellings shall not exceed one per bedroom.
- 14 15. Stormwater basins shall be designed with an irregular shape and to retain as much of
- 15 the existing tree canopy as possible, subject to the approval of the appropriate
- 16 reviewing board or staff, as applicable.
- 17 16. The owner/developer shall protect and preserve as many regulated trees, as possible,
- 18 during all stages of development on the subject property, subject to the approval of the
- 19 appropriate reviewing board or staff, as applicable.
- 20 17. All owners of the subject property shall be bound to the terms and conditions of this
- 21 planned development ordinance.

- 1 18. The Planned Development shall comply with the signage requirements of the City's
2 Land Development Code.
- 3 19. The Planned Development shall comply with the building separation requirements of
4 the City's Land Development Code.
- 5 20. The owner/developer shall supplement required plant material with an architecturally
6 compatible fence or wall along the perimeter of the subject property, subject to the
7 approval of the appropriate reviewing board or staff, as applicable.
- 8 21. The owner/developer shall construct a bus shelter, that is architecturally compatible
9 with the building constructed on the subject property to meet concurrency. The bus
10 shelter shall be subject to the review and approval of the City Manager or designee.
11 Construction of the bus shelter shall be completed prior to the issuance of a Certificate
12 of Occupancy for any building on the subject property.
- 13 22. The owner/developer shall construct new sidewalks along Old Archer Road and the
14 paved portion of Southwest 23rd Street in accordance with the City's design standards,
15 provided the owner/developer receives approval from the appropriate regulating
16 agencies. The owner/developer shall be required to extend along the full length of the
17 eastern boundary of the subject property concurrently with the expansion of Southwest
18 23rd Street.
- 19 23. The owner/developer shall commence construction of the planned development within
20 24 months of the effective date of this Ordinance, as provided in Section 8 of this
21 Ordinance. Failure to comply with this requirement shall cause the PD zoning
22 classification to expire and be deemed null and void. The City may then commence the

1 process to repeal the Planned Development zoning classification on the subject
2 property from the Zoning Map, and to rezone the property to the appropriate category.

3 24. The owner/developer shall obtain a final development order for the planned
4 development within 12 months of the effective date of this Ordinance, as provided in
5 Section 8 of this Ordinance. Failure to comply with this requirement shall cause the
6 PD (Planned development District) zoning classification to expire and be deemed null
7 and void. The City may then commence the process to remove the planned
8 development zoning classification on the subject property from the Zoning Map. The
9 city commission may, upon good cause shown, approve a one-time, one-year extension
10 of the aforesaid time period, after review by the City Plan Board, only if the request is
11 in writing and filed with the Commission prior to any expiration date. This extension
12 also includes the time period for commencing construction as provided in paragraph 23
13 above. Failure to comply with these time requirements shall cause the development
14 order approved with this ordinance to be null and void and of no further force and
15 effect. In this event, the City shall initiate a petition to change the zoning to the
16 appropriate category.

17 25. The development plan review for this planned development shall be performed by the
18 City Plan Board, where board review is required by the City's Land Development
19 Code.

20 **Section 5.** The preliminary development order previously issued by the City under Petition
21 No. 178SPL-04PB on this property is void and of no further force and effect.

1 **Section 6.** If it is determined by the City Manager that a violation of this Ordinance exists, the
2 City Manager may issue and deliver an order to cease and desist from such violation to correct a
3 violation, to preclude occupancy of the affected building or area, or to vacate the premises. The City
4 Manager, through the City Attorney, may seek an injunction in a court of competent jurisdiction and
5 seek any other remedy available at law.

6 **Section 7.** Any person who violates any of the provisions of this ordinance shall be deemed
7 guilty of a municipal ordinance violation and shall be subject to fine or imprisonment as provided by
8 section 1-9 of the Gainesville Code of Ordinances. Each day a violation occurs or continues,
9 regardless of whether such violation is ultimately abated or corrected, shall constitute a separate
10 offense.

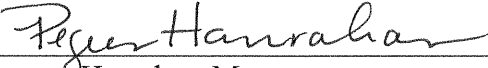
11 **Section 8.** If any section, sentence, clause or phrase of this ordinance is held to be invalid or
12 unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the
13 validity of the remaining portions of this ordinance.

14 **Section 9.** This ordinance shall become effective immediately upon final adoption; however,
15 the rezoning shall not become effective until the amendment to the City of Gainesville
16 2000-2010 Comprehensive Plan adopted by Ordinance No. 060110 becomes effective as

1 provided therein.

2 **PASSED AND ADOPTED** this 11th day of December, 2006.


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Pegeen Hanrahan, Mayor

8 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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15


Kurt Lannon,
Clerk of the Commission



Marion J. Radson, City Attorney
DEC 12 2006

16 This ordinance passed on first reading this 27th day of November, 2006.

17 This ordinance passed on second reading this 11th day of December, 2006.

18
19
20 H:\Marion Radson\Planning\37PDV-06PB pet.doc

LEGAL DESCRIPTION (per Official Records Book 1297, Page 242)

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, AND THENCE RUN NORTH 0 DEG. 29' 45" EAST ALONG THE EAST LINE OF SAID SECTION 12 A DISTANCE OF 660 FEET TO A POINT; THENCE RUN NORTH 89 DEG. 43' 45" WEST A DISTANCE OF 50 FEET TO THE WEST RIGHT-OF-WAY LINE OF GRADED COUNTY ROAD FOR THE POINT OF BEGINNING; FROM SAID POINT OF BEGINNING THUS DESCRIBED, RUN NORTH 89 DEG. 43' 45" WEST A DISTANCE OF 610 FEET; THENCE RUN NORTH 0 DEG. 33' 41" EAST A DISTANCE OF 530.87 FEET, MORE OR LESS, TO THE SOUTH RIGHT-OF-WAY LINE OF OLD ARCHER HIGHWAY; THENCE RUN NORTH 68 DEG. 25' 07" EAST ALONG AND WITH SAID RIGHT-OF-WAY LINE OF SAID OLD ARCHER HIGHWAY A DISTANCE OF 657.60 FEET, MORE OR LESS, TO THE WEST RIGHT-OF-WAY LINE OF SAID GRADED COUNTY ROAD; THENCE RUN SOUTH 0 DEG. 29' 45" WEST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 775.64 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

AREA: (BY SURVEYOR) ±398,413,624 S.F. (±9.146 ACRES)

EXHIBIT "A"

Gatorwood Apartments Planned Development (PD) Report

APPROVED AS SUBMITTED

Request No. 37PDV-06PB Public Hearing of

Board _____ on _____ Date _____

with modifications, if any, as listed below.

City Plan Board Approval, 5/18/06, with conditions (See Attach A).

City Commission Approval, 6/26/06, with conditions (See Attach A).

1st Submittal to City Attorney, 10/3/06.

B. B. Marney, Planner, 10/5/06
Representative of the Planning Division

Prepared for Submission to:
The City of Gainesville

Prepared on Behalf of:
Gatorwood Apartments, LLC

Prepared by:

CE	Causseaux & Ellington, Inc.
	Engineering • Surveying • Planning
	6011 NW 1 st Place, Gainesville, Florida 32607
	Phone: (352) 331-1976 Fax: (352) 331-2476 Email: mailbox@ce-civil.com http://www.ce-civil.com

October 2006



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Executive Summary

Causseaux & Ellington, Inc.

Engineering • Surveying • Planning

To: Ms. Bedez Massey, Project Planner, City of Gainesville
From: Gerry Dedenbach, AICP, Director of Planning and GIS Services
Date: 10/3/2006
Re: Gatorwood Apartments Planned Development Rezoning

#06-0043

Jurisdiction: City of Gainesville		Intent of Development: Residential Planned Development	
Description of Location: Southwest corner of the intersection of Old Archer Road and SW 23 rd Street			
Parcel Number: 06759-000-000		Acres: ± 9.15 acres <i>(Source: Surveyed on August 3, 2004)</i>	
Current Future Land Use Classification: <i>Mixed Use Low (8-30 units per acre)</i> This category allows a mix of residential and nonresidential uses such as standard lot single-family houses, small-lot single-family houses, duplex houses, townhouses, accessory dwelling units, group homes, multi-family housing, offices scaled to serve the surrounding neighborhood, retail scaled to serve the surrounding neighborhood, public and private schools, places of religious assembly and other community civic uses.		Proposed Future Land Use Classification: <i>Planned Use District</i> This category is an overlay land use district. It allows the consideration of unique, innovative, or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the surrounding land uses and environmental conditions of the subject land. This district allows a mix of residential and non-residential uses that might otherwise not be allowed in the underlying land use category.	
Current Zoning Category: <i>Mixed Use 1 (MU-1):</i> The mixed-use low intensity district is established for the purpose of allowing coordinated developments designed to offer a mixture of residential, convenience-type retail, professional and consumer service uses primarily for residents of mixed-use and adjacent residential neighborhoods.		Proposed Zoning Category: <i>Planned Development:</i> It is the purpose of this district to provide a method for landowners or developers to submit unique proposals that are not provided for or allowed in the zoning districts otherwise established by this chapter. In particular, these provisions allow a mix of residential and nonresidential uses and/or unique design features which might otherwise not be allowed in the district.	
Current Maximum Dwelling Permitted 9.15 acres x 30 dwelling units (du) / acre = 275 du		Proposed Maximum Dwelling Permitted 9.15 acres x 40 du / acre = 366 du	
Evaluation Summary (F.A.C. 9J-5)		Positives	Negatives
Location (Relative to existing urban core)		+	
Distribution (Vehicular & Pedestrian)		+	
Density (Maximum allowable units)		+	
Intensity (Impact of development)		+	
Compatibility (To surrounding land use)		+	
Suitability (Impacts on concurrency items)		+	
Functional Relationship (Relation to area)		+	
Land Use Combination (Promotion of mixes)		+	
Evaluation Summary Total		+7	0

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2. Planned Development Report

Purpose and Intent

The Gatorwood Apartments site has been a multi-family residential development since its inception nearly 30 years ago. The site is located at the southwest corner of the intersection of Old Archer Road and SW 23rd Street. The existing development is a fractured series of multi-family structures located on one parcel. The buildings are connected by a large parking lot and are poorly integrated into the surrounding multi-modal transportation network. The intent of this application is to redevelop the site as a mixed-use residential development with a contemporary design and state-of-the-art amenities.

Gatorwood Apartments has concurrently applied for a Small-scale Comprehensive Plan Amendment. The site currently has a Future Land Use classification of Mixed Use Low with a pending change to Planned Use District (PUD). The density and innovative design associated with the development are not found within any one Future Land Use classification or zoning district. Therefore, in order to implement this Future Land Use overlay district, the City of Gainesville Land Development Code (LDC) requires rezoning to a Planned Development (PD).

The parcels surrounding the project have several different Future Land Use designations. Table 1 illustrates the existing property uses and Future Land Use designations surrounding the entire project site.

Table 1: Property Uses* and Future Land Use Designations

Direction	Property Use	Future Land Use Designation
North	Apartment complexes, office building, convenience store, and automotive service station	Residential Medium Density, Commercial
East	Commercial, University of Florida facilities	Mixed Use Low, Education
South	University of Florida agriculture facilities, single-family residence	Education, Agriculture
West	Warehousing and distribution	Mixed Use Low

* Current property use information was taken from the Alachua County Property Appraiser's website on April 7, 2006.

The proposed rezoning would create a PD on one parcel totaling ± 9.15 acres that has a pending Future Land Use designation of PUD. The proposed rezoning to PD will be designed to be consistent and compatible with the surrounding Future Land Uses and zoning categories, the general character of the neighborhood and the guiding PUD.

The following report illustrates the consistency of the proposed rezoning with the City of Gainesville Comprehensive Plan and applicable LDC. In addition, the proposed PD will help to promote redevelopment of properties located on Old Archer Road, SW Archer Road, and proximate to the University of Florida, Shands Healthcare, and the Veteran's Administration Medical Center.

Table 2: Statistical Information

Total Site		9.15 acres
Minimum Residential Density		30 dwelling units per acre
Maximum Residential Density		40 dwelling units per acre
Maximum Lot Coverage ¹		60% of site
Minimum Pervious, open space		20% of site
Maximum Building Height ¹		70 feet / 6 stories
Non-Residential Land Uses: Square feet not inclusive of parking facilities		
MG-53 MG-54 MG-56 MG-59	Compound uses, Eating Places, Outdoor cafes, General Merchandise stores, Food Stores, Apparel and accessory stores, Miscellaneous retail, and any accessory uses customarily and clearly incidental to any permitted principal use permitted within this planned development. Accessory transmission, retransmission and microwave towers may be allowed by Special Use Permit (SUP) in accordance with Article VI of the LDC.	Up to 8,000 combined total square feet of non-residential floor area
Residential Land Uses:		
	Multi-family dwelling in accordance with the requirements of the RMF-6, RMF-7 or RMF-8 zoning districts and the additional requirements of Section 30-64 and Section 30-56, unless specifically outlined within this Planned Development. Incidental residential accessory uses shall mean storage rooms, management offices, club or game rooms, and recreational and laundry facilities intended for use solely by the residents of the development.	Minimum 275 units
		Maximum 366 units
Maximum Acreage by Use:		
	Residential	Up to 6.32 acres
	Non-residential	Up to 1.0 acres
Open Space² and Recreation		
	Area devoted to publicly owned facilities	0 acres
	Area devoted to common area and usable open space	Minimum 20%

¹ Maximum building figures include the proposed parking facility.

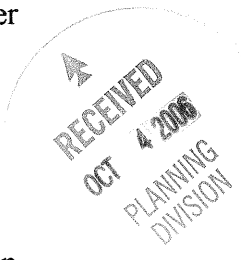
² Open space calculations include non-concrete stormwater management facilities.

Stormwater Management Concept Plan

The site will utilize one stormwater management facility. This facility will be designed as a wet basin and will be located on the southern side of the property, adjacent to the existing agricultural uses. Stormwater basins shall be designed with an irregular shape and to retain as much of the existing tree canopy as possible. The design and construction of the stormwater management facility will comply with all applicable sections of the LDC and all Water Management District permitting requirements.

Design Standards for Streets, Parking, and Loading Facilities

Streets, parking facilities, and loading facilities will be designed in conformance with all applicable regulations for the Mixed Use-1 zoning district set forth in the LDC, except when expressly indicated in the PD report or PD Layout Plan Map.



Proposed Development Schedule

All owners of the subject property shall be bound to the terms and conditions of the PD Ordinance. The owner/developer shall commence construction of the planned development within 24 months of the effective date of the PD zoning on the subject property. Failure to comply with this requirement shall cause the PD zoning classification to be deemed null and void. The applicant shall obtain a final development order for the planned development within 12 months of the effective date of the rezoning implementing the PD zoning on the subject property. Failure to comply with this requirement shall cause the PD zoning classification to be deemed null and void. The City Commission may approve a one-time, one-year extension of the valid dates of the PD, after review by the City Plan Board, only if the request is in writing to the Commission prior to any expiration date. This also includes the valid period for obtaining a building permit and commencing construction. The development plan review shall be performed by the City Plan Board, where board review is required within the City's LDC.

Signage

The development will comply with the sign requirements set forth in Article IX and all other applicable provisions of the LDC.

Enumeration of Zoning Differences

The proposed PD will comply with all the regulations for the underlying Mixed Use-1 (MU-1) zoning district except as follows:

1. Except as expressly provided in the PD Ordinance, the Planned Development shall be governed as if it were zoned MU-1 (mixed use low intensity district).
2. The development is limited to a minimum density of 30 dwelling units per acre, and a maximum density will be 40 dwelling units per acre;
3. The development is limited to a maximum lot coverage not to exceed 60 percent.
4. The development is limited to no less than 20 percent pervious, open space.
5. The maximum building height for the new structure, including the parking facility, will be 70 feet, and a maximum of 6 stories;
6. The maximum amount of floor area devoted to retail uses and the leasing office shall be limited to a maximum of 8,000 square feet.
7. Of the maximum allowed floor area for the retail use, no one business shall be subject to a minimum or maximum amount of gross leasable nonresidential floor area.
8. Uses involving outdoor storage and drive-through facilities are prohibited. Accessory transmission, retransmission, and microwave towers may be allowed by Special Use Permit (SUP) in accordance with Article VI of the LDC.

9. The permitted uses are limited to the following uses permitted by right within the MU-1 (Mixed-use low intensity) zoning district.

<i>SIC</i>	<i>Uses</i>	<i>Conditions</i>
	Any accessory uses customary and clearly incidental to any permitted principal use.	
	Compound uses	
	Eating places	
	Outdoor Cafes	As defined in Article II and in accordance with Article VI.
	Multi-family dwellings	In accordance with the requirements of the RMF-6, RMF-7 or RMF-8 zoning districts and the additional requirements of Section 30-64, and the requirements of Section 30-56.
MG-53	General merchandise stores	
MG-54	Food Stores	
MG-56	Apparel and accessory stores	
MG-59	Miscellaneous retail	Excluding direct selling establishments (IN-5963); fuel dealers (IN-5983); and liquor stores (IN-5921).



10. Any accessory uses customarily and clearly incidental to any permitted principal use are permitted within this planned development.
11. Incidental residential accessory uses shall mean storage rooms, management offices, club or game rooms, and recreational and laundry facilities intended for use solely by the residents of the development and their guests.
12. Multi-family dwellings shall be the predominant use in all compound uses.
13. All relevant Transportation Concurrency Exception Area (TCEA) requirements shall be met. Proof of meeting these requirements shall exist in the form of a Certificate of Preliminary and Final Concurrency.
14. The total number of vehicle parking spaces provided shall not exceed one per bedroom.
15. Stormwater basins shall be designed with an irregular shape and to retain as much of the existing tree canopy as possible.
16. The owner/developer shall protect and preserve as many regulated trees, as possible, during all stages of the development on the subject property.

17. All owners of the subject property shall be bound to the terms and conditions of the PD Ordinance
18. The Planned Development shall comply with signage requirements of the LDC.
19. The Planned Development shall comply with the building separation requirements of the LDC.
20. The owner/developer shall supplement required plant material with an architecturally compatible fence or wall along the perimeter of the subject property, where deemed appropriate by the reviewing board during the development review process.
21. The owner/developer shall construct a bus shelter that is architecturally compatible with the building constructed on the subject property. The bus shelter shall be subject to the review and approval of the City's Regional Transit System (RTS). Construction of the bus shelter shall be completed prior to the issuance of a Certificate of Occupancy for any building on the subject property.
22. The owner/developer shall construct new sidewalks along Old Archer Road and the paved portion of Southwest 23rd Street in accordance to applicable design standards, provided the owner/developer receives approval from the appropriate regulatory agency. The owner/developer shall be required to extend the construction of new sidewalk along the full length of the eastern boundary of the subject property concurrently with the expansion of Southwest 23rd Street.
23. The owner/developer shall commence construction of the planned development within 24 months of the effective date of the rezoning implementing the Planned Development District (PD) zoning on the subject property. Failure to comply with this requirement shall cause the PD zoning classification to be deemed null and void. The City may then commence the process to remove the PD zoning classification on the subject property from the Zoning Map.
24. The applicant shall obtain a final development order for the planned development within 12 months of the effective date of the rezoning implementing the PD zoning on the subject property. Failure to comply with this requirement shall cause the PD zoning classification to be deemed null and void. The City may then commence the process to remove the PD zoning classification on the subject property from the Zoning Map. The city commission may approve a one-time, one-year extension of the valid dates of the PD, after review by the City Plan Board, only if the request is in writing to the Commission prior to any expiration date. This also includes the valid period for obtaining a building permit and commencing construction. Failure to comply with these time requirements shall cause the development order approved with this ordinance to be null and void and of no further force and effect. In this event, the City shall initiate a petition to change the zoning to the appropriate category.
25. The development plan review shall be performed by the City Plan Board, where board review is required within the LDC.

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26. A nine foot wide landscape buffer that conforms to Option Y in Section 30-253 – Chart B of LDC will be maintained along the eastern property boundary;
27. The minimum distance from the street right-of-way line at the ingress/egress driveway located on SW 23rd Street to any interior service drive or parking space having direct access to said driveway shall be 20 feet;
28. The minimum number of bicycle parking spaces will be 10% of the minimum number of required vehicle parking spaces, even if the actual number of parking spaces exceeds the minimum requirement. Bicycle parking will be provided in an indoor storage area, in conjunction with the parking facility, that complies with the provisions of Section 30-331 of the LDC;
29. The minimum number of motorcycle parking spaces will be one space for every 40 vehicular parking spaces, based on the minimum number of required parking spaces;
30. The PD ordinance shall expressly allow gated access to the parking facility. Gates will not occur on any land deemed to be public right-of-way. Gates will not restrict public access to external open space areas. A method for ensuring accessibility by emergency response personnel will be determined during site plan approval,
31. Regulated trees will be replaced at a minimum rate of one-to-one. A final determination of trees to be removed will occur during development plan review; and
32. Setbacks will be set at 20 feet for front, rear, and street side and 10 feet for interior side.

Conformance with the PD Objectives and the Comprehensive Plan

As stated in Section 30-211(b) of the LDC, the PD district is established with the goal of achieving a set of objectives. Gatorwood Apartments fulfills these objectives as follows:

1. As a mixed use residential development, Gatorwood Apartments will orient buildings toward streets and sidewalks, provide design which encourages internal and external convenient and comfortable travel by foot, bicycle, and transit, allow for modest setbacks, create multiple connections to nearby land uses, and allow for a mix of uses within the site;
2. The location of Gatorwood Apartments proximate to the University of Florida, Shands Healthcare, and the Veteran's Administration Medical Center provides flexibility to meet changing needs and consumer preferences as many students and professionals opt to locate closer to their daily destinations;
3. Gatorwood Apartments will redevelop a previously existing multi-family site with a greater emphasis on overall coordinated building and facility relationships;
4. Gatorwood Apartments will provide the combination and coordination of architectural style, building form, and relationship within the development through an integrated design creating a seamless façade and internal pedestrian network; and

- Gatorwood Apartments will promote the use of quality-of-life design features such as a pedestrian scale, parking located to the rear or side of the building, narrow, connected streets, aligned building facades that face the street, and formal landscaping along streets and sidewalks.

Please refer to *Section 3: Consistency with the Comprehensive Plan* for specific references regarding conformance with the goals, objectives, and policies of the Comprehensive Plan.

Concurrency

This site is located on Old Archer Road, which runs parallel to SW Archer Road. This is within the Transportation Concurrency Exception Area, Zone A. It is not required that development within this area meet roadway concurrency requirements, provided the requirements of Policy 1.1.4 of the Concurrency Management Element are met. Table 3 – Projected Trip Generation illustrates the impact that the development will have on SW Archer Road.

Table 3: Projected Trip Generation¹

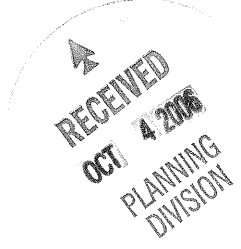
Land Use	Units	Daily		AM Peak		PM Peak	
		Rate	Trips	Rate	Trips	Rate	Trips
Apartment ITE 220	366 ²	6.72	2,460	0.51	187	0.62	227
Specialty Retail Center ITE 814	5 ³	44.32	222	- ⁴	- ⁴	2.71	14
Trip Reduction for previous uses (Apartment)	240 ²	6.72	-1,613	0.51	-122	0.62	-149
Redevelopment Credit (10% previous uses)	-	-	-161	-	-12	-	-15
Total			908		53		77

- Source: Institute of Traffic Engineers. *ITE Trip Generation 7th Edition*.
- Units = dwelling units
- Units = 1,000 sq. ft. of building area
- The ITE manual does not calculate AM peak hour of adjacent street traffic for specialty retail.

Table 4: Projected Impact on Roadway Segments

Traffic System Category	Segment S-55 SW Archer Road (SR 24) from SW 34 th Street (SR 121) to SW 16 th Avenue (SR 226) ²
Maximum Service Volume (<i>Level of Service F, 6/D Lanes</i>) ¹	51,100
Existing traffic	51,500 ³
Available capacity	-400
Reserved trips	None
Projected rezoning trip generation	908
Residual capacity after proposed development	-1,308

- Numbers given in terms of Average Annual Daily Traffic (AADT) unless otherwise specified. Level of Service defined by 2006 Metropolitan Transportation Planning Organization (MTPO) Table 1: Highway Level of Service Data for State Roads within the Gainesville Metropolitan Area Boundary.
- Segment S-55 of the MTPO Illustration II – S.
- Existing Traffic Estimate from 2005 Florida State Highway System LOS Summary for Alachua County.



An application for concurrency certification has been submitted with this report. Additional concurrency analysis for public facilities will be conducted by City staff.

Internal Compatibility

The development will consist of a new, multi-family residential structure, which incorporates a parking facility. The new structure will be linked through a series of internal breezeways and courtyards. The breezeways will also connect directly to sidewalk improvements that are external to the structure. The residential portions of the new structure will encircle interior courtyard areas and connect through the parking facility.

External Compatibility

Gatorwood Apartments will incorporate quality-of-life design features such as pedestrian scale, street-oriented buildings, parking facilities to the side or rear, mixed uses, and multi-modal access while still maintaining compatibility with the SW Archer Road and University of Florida context area. The site will be designed to relate to surrounding residential development while avoiding the “buildings in a parking lot” appearance and creating a more integrated, urban feel.

The proposed development will adhere to all applicable screening requirements in the LDC to ensure the mitigation of any potential negative impacts on the surrounding area. Trash collection areas will be screened from public right-of way in a manner consistent with the overall design of the site. This may be a landscaped buffer, an architecturally compatible wall, a combination of both, or another accepted method. The owner/developer shall supplement required plant material with an architecturally compatible fence or wall along the perimeter of the subject property, where deemed appropriate by the reviewing board during the development review process.

Communications equipment may be placed in conjunction with the parking facility. Transmitter towers, retransmission and microwave transmission towers, and antennas in accordance with Article VI may be placed on the top level of the parking facility. If the visual impact of the communications equipment is determined to be significant, additional screening or camouflaging may be required during development review.

Intensity of Development

Gatorwood Apartments is requesting an additional 10 units per acre in density for a total of 366 dwelling units. The increase in density will be accommodated by the innovative design discussed previously. The Urban Mixed Use-2 district is located approximately ¼ mile east of the site and is significantly more intense, allowing densities of up to 100 units per acre. The Mixed Use-1 and multi-family medium density residential (RMF-8) districts located to the north and west allows a maximum of 30 units per acre, which is slightly less, intense. The intensity of the development will be further mediated through the expansion and enhancement of the multi-modal transportation network. Multi-family dwellings shall be the predominant use in all compound uses. Accessory uses considered customarily incidental to a permitted principal use on the subject property are limited to the uses permitted within the planned development. Incidental residential uses shall mean storage rooms, management offices, club or game rooms,

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and recreational and laundry facilities intended for use solely by the residents of the development and their guests.

Usable Open Spaces, Plazas, and Recreation Areas

Gatorwood Apartment proposes open space around the perimeter of the site. As part of the open space, new sidewalks will be constructed along Old Archer Road and SW 23rd Street. Internal courtyards will also be incorporated into the design of the new building. Courtyards may contain passive and active recreation areas. Based on aerial images and survey data, the existing site contains approximately one acre of common open space. Gatorwood Apartments proposes approximately two acres of common open space.

Environmental Constraints

The Gatorwood Apartments site does not contain any environmentally significant land or water resources as designated by the Conservation, Open Space, and Groundwater Recharge Element. The site is not located within the Federal Emergency Management Agency (FEMA) 100-year flood plain. The owner/developer shall protect and preserve as many regulated trees as possible during all stages of development on the subject property. Stormwater management facilities will be constructed to control runoff from the built portions of the site. These facilities will be constructed in accordance with LDC Section 30-270. Post-development run-off will not exceed pre-development run-off.

All buildings shall be inspected prior to demolition. All hazardous materials regulated under Alachua County Hazardous Materials Management Code, including fluorescent lamps and other mercury containing devices, shall be removed and properly managed. A letter shall be provided to Alachua County Environmental Protection Department (ACEPD) certifying that the inspection and, if applicable, the removal and proper management of regulated materials was completed.

External Transportation Access

All relevant Transportation Concurrency Exception Area (TCEA) requirements shall be met. Proof of meeting these requirements shall exist in the form of a Certificate of Preliminary and Final Concurrency. The primary ingress/egress point will be on Old Archer Road. A maximum of three driveway connections shall be allowed onto public right-of-way, one from Old Archer Road and two from SW 23rd Street, subject to approval by the relevant regulating authorities.

As part of the development process, Gatorwood Apartments will improve SW 23rd Street to the extent necessary to provide secondary and emergency access to the site. Gatorwood Apartments does not propose improvements on SW 23rd Street to the southern property line, as there is no need for public access to the privately owned land to the south.

The development will construct new sidewalks along Old Archer Road and the paved portion of Southwest 23rd Street in accordance to applicable design standards, provided the owner/developer receives approval from the appropriate regulatory agency. The owner/developer shall be required to extend the construction of new sidewalk along the full length of the eastern boundary of the subject property concurrently with the expansion of South

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west 23rd Street. New sidewalks will connect to the internal pedestrian network as well as existing public pedestrian and bicycle facilities.

The owner/developer shall construct a bus shelter that is architecturally compatible with the building constructed on the subject property. The bus shelter shall be subject to the review and approval of the City's Regional Transit System (RTS). Construction of the bus shelter shall be completed prior to the issuance of a Certification of Occupancy for any building on the subject property.

Internal Transportation Access

The primary and secondary external ingress/egress points link through the parking facility, creating a complete multi-modal circulation network. Pedestrians will be accommodated through a series of breezeways that connect to the parking facility as well as the external pedestrian and bicycle network.

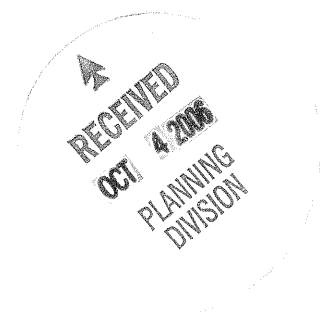
Provision for a Range of Transportation Choices

Residents and visitors will be able to safely walk, bike, or drive to and from the site. Transit riders will have four routes from which to choose as well as a new rider shelter. Pedestrians and bicycles will have access to sidewalks and crosswalks from the site.

Given the location of the proposed development it is reasonable to assume that the majority of residents will be affiliated with the University of Florida. Students, faculty, and staff of the University of Florida are entitled to free, unlimited transit access. Additionally, Veteran's Administration employees are also entitled to free, unlimited access to transit.

Security, Fire Protection, and Crime Prevention

Specific recommendations and/or requirements regarding lighting, surveillance, fire protection, and all other security issues will be addressed during site plan review.



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3. Consistency with the Comprehensive Plan

Future Land Use Element

The Comprehensive Plan Future Land Use Element *Objective 2.1* states that redevelopment should be encouraged to promote compact, vibrant urbanism, improve the condition of blighted areas, discourage urban sprawl, and foster compact development patterns that promote transportation choice. Further, Comprehensive Plan Future Land Use Element *Policy 2.1.2* states that the City's Future Land Use Plan should strive to accommodate increases in student enrollment at the University of Florida and the location of students, faculty, and staff in areas designated for multi-family residential development and/or appropriate mixed-use development within ½ mile of the University of Florida campus. The proposed zoning change from Mixed Use-1 to PD and the associated PUD overlay will allow for compact, multi-family residential development that incorporates urban design strategies and promotes a vibrant, multi-modal community. The proposed change is compatible with the residential land uses existing around the site and discourages sprawl, providing further consistency with the Future Land Use Map and Zoning Map. In addition, the use of a Planned Development on this site will protect and improve existing bicycle and pedestrian facilities, consistent with Comprehensive Plan Future Land Use Element *Objective 1.2*. This will be accomplished through the construction of new sidewalks and crosswalks, roadway improvements, and the construction of a new bus shelter.

Transportation Mobility Element

This site is located on Old Archer Road, which runs parallel to SW Archer Road. This is within the Transportation Concurrency Exception Area, Zone A. It is not required that development within this area meet roadway concurrency requirements, provided the requirements of Policy 1.1.4 of the Concurrency Management Element are met. Tables 3 and 4 illustrate the impact that the development will have on SW Archer Road.

The project will construct a parking facility to support the proposed residential development. This facility will have access from Old Archer Road and from SW 23rd Street and access will meet all Florida Department of Transportation design criteria. Additionally, the Level of Service standards defined within the City of Gainesville Comprehensive Plan Transportation Mobility Element will be met.

Consistent with Comprehensive Plan Transportation Mobility Element *Policy 3.2.1*, the proposed PD will increase residential density in an area served by frequent transit. While a density of eight units per acre already exists on the site, an increased density will promote and increase transit ridership. As Figure 1 illustrates, the project site is located along RTS Routes 1, 12, 35, and 56. These routes will transport residents directly to the University of Florida campus, Shands Healthcare facilities, the Veteran's Administration Medical Center, the Downtown Plaza, and Butler Plaza. From these points, riders will have access to all of Gainesville and those parts of Alachua County currently served by RTS. Further, Old Archer Road and SW Archer Road have existing sidewalks that will allow residents to walk or bike to other residential and commercial facilities existing throughout the area. Additionally, as part of the redevelopment process the existing rider shelter will be replaced with a new, architecturally compatible shelter that meets all RTS and other applicable standards (i.e. ADA). The new shelter will be

constructed off-site and will be considered an off-site improvement. This will further aid in the establishment of multi-modal habits for new and returning residents to the area.

The development will construct new sidewalks along Old Archer Road and the paved portion of Southwest 23rd Street in accordance to applicable design standards, provided the owner/developer receives approval from the appropriate regulatory agency. The owner/developer shall be required to extend the construction of new sidewalk along the full length of the eastern boundary of the subject property concurrently with the expansion of Southwest 23rd Street. New sidewalks will connect to the internal pedestrian network as well as existing public pedestrian and bicycle facilities.

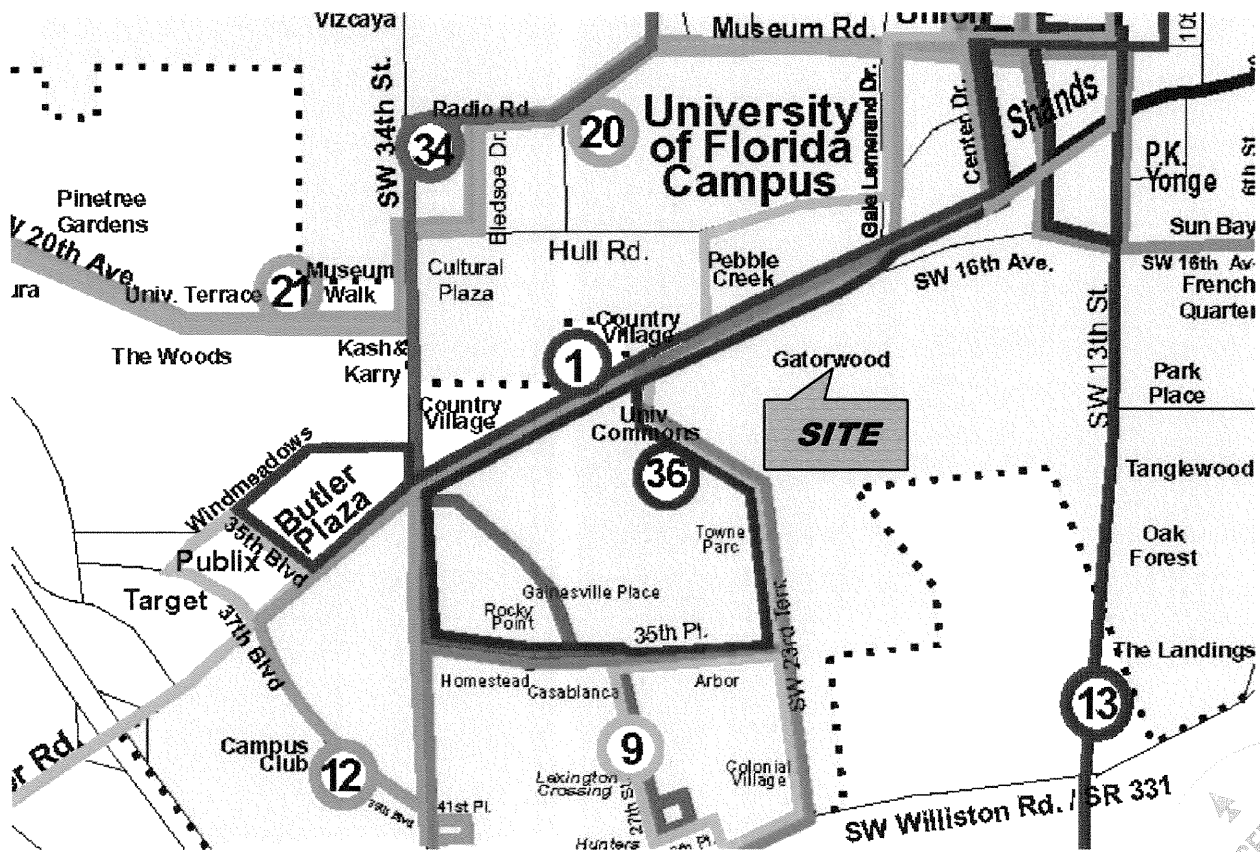


Figure 1. Regional Transit System (RTS) Routes Proximate to Project Site

Source: <http://www.go-rts.com/>

The focus on creating and improving multi-modal access is consistent with Transportation Mobility Element *Policy 1.1.2* by promoting transportation choice, healthy residential development, safety, and convenience.

Housing Element

Gatorwood Apartments intends to redevelop the existing residential facility as a mixed-use residential development with convenient access to the University of Florida, Shands Healthcare, and several RTS routes. The proposed PD is consistent with the overall goal of the Comprehensive Plan Housing Element by providing adequate, decent, safe, sanitary, healthy, and

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cost-effective rental housing. Furthermore, *Policy 1.1.5* states that the private sector shall be responsible for providing housing for college students. The proposed PD designation will, therefore, support the overall goal of this Element of the Comprehensive Plan and allow for the provision of housing for students of the University of Florida.

Conservation, Open Space and Groundwater Recharge Element (COSGR)

The Gatorwood Apartments site does not contain any environmentally significant land or resources including creeks, wetlands, lakes, wellfields, major groundwater recharge areas, or upland areas, as designated by *Policy 1.1.1* of the COSGR Element of the Comprehensive Plan. In addition, Gatorwood Apartments intends to increase the amount of contiguous, pervious surface currently existing on the site by utilizing a multi-story design.

Approximately 2 acres of the completed project site will be considered open space. This area will include designated open space and interior courtyards, and a pervious emergency access lane. The majority of these areas will contain pervious surfaces allowing precipitation to percolate through the ground, thereby minimizing the amount of run-off from the site.

Potable Water/Wastewater Management Element

The existing Gatorwood Apartments facilities are connected to potable water and sanitary sewer service provided by Gainesville Regional Utilities (GRU).

Stormwater Management Element

Gatorwood Apartments intends to construct one stormwater management facility that will function as a wet basin. In accordance with the Comprehensive Plan Stormwater Management Element *Objective 1.9* the design of the wet basin will serve a dual purpose as both a stormwater facility and as an aesthetically pleasing feature. The stormwater basin will be constructed to mitigate the potential impacts of 100-year critical duration rainfall depth. The basin will be designed to contain any run-off from the site and to allow stormwater to percolate into the soil, rather than run directly into the ultimate receiving surface waters.



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4. Consistency with Florida Statutes Chapter 163 and Florida Administrative Code Rule 9J-5

Florida Statutes (F.S.) Chapter 163 Part II establishes the framework for growth management and local government planning in the State of Florida. This area of the Statutes contains requirements for Comprehensive Plan Amendments to be found in compliance with local planning initiatives and promote fiscally sound development of the planning area. Furthermore, Florida Administrative Code (F.A.C) Chapter 9J-5 implements F.S. Chapter 163 by mandating specific measures and levels of evaluation for local comprehensive plans, land development regulations, and amendments to such documents. Chief among these requirements is that all amendments follow the guidelines established for concurrency of public facilities, specifically through the Future Land Use, Transportation, Sanitary Sewer, Potable Water, Solid Waste, Stormwater Management, and ground water recharge elements.

URBAN INFILL AND REDEVELOPMENT

The proposed site lies within the City of Gainesville in an existing urbanized area. The project site is a multi-family residential development currently not in use. The proposed project will redevelop this site and provide a contemporary residential facility to accommodate population growth and enrich the urban fabric of the University of Florida / Shands Healthcare / Veteran' Administration Medical Center area. Furthermore, the redevelopment of this site will promote efficient and fiscally sound development.

CONCURRENCY MANAGEMENT SYSTEM

The City of Gainesville has adopted level of service standards for roads, potable water, sanitary sewer, solid waste, recreation, and drainage to be consistent with the FAC 9J-5.005. An application for concurrency certification has been submitted with this report. Additional concurrency analysis for public facilities will be conducted by City staff.

FUTURE LAND USE ELEMENT

The amendment proposes overlaying the MU-1 zoning category with a Planned Development zoning district. This PD would allow for the development of the land at a slightly higher density than is currently allowed by the Comprehensive Plan. This increase in residential density will allow for more efficient and innovative design of the new development. The PD will replace an existing multi-family residential development that will help to promote infill and redevelopment and discourage sprawl. The site lies within an urbanized area and will not require further extension of public facilities for service. The project will utilize existing public service for potable water and sanitary sewer. As defined in FAC 9J-5.006, evaluation of these factors will promote systematic and cost effective growth thereby fighting the elements of urban sprawl.

TRANSPORTATION ELEMENT

Tables 3 and 4 provide a current transportation impact analysis, demonstrating the level of service standards for transportation in the area of the proposed development. The site lies within Transportation Concurrency Exception Area (TCEA) Zone A and will thus allow for multi-modal access by residents of the development.

Coordination with the State of Florida Department of Transportation and the City of Gainesville will ensure safe, appropriate access locations where such authority applies and designs in conformance with Florida Administrative Code, Chapters 14-96 and 14-97.

The development will construct new sidewalks along Old Archer Road and the paved portion of Southwest 23rd Street in accordance to applicable design standards, provided the owner/developer receives approval from the appropriate regulatory agency. The owner/developer shall be required to extend the construction of new sidewalk along the full length of the eastern boundary of the subject property concurrently with the expansion of Southwest 23rd Street. New sidewalks will connect to the internal pedestrian network as well as existing public pedestrian and bicycle facilities. This will further connect the development to the surrounding neighborhood and to create the building blocks of a truly multi-modal community.

SANITARY SEWER, SOLID WASTE, STORMWATER MANAGEMENT, POTABLE WATER AND NATURAL GROUNDWATER AQUIFER RECHARGE ELEMENT

The proposed amendment is located within the Gainesville Regional Utilities service area. Development resulting from the amendment will connect to the existing publicly available utility infrastructure. Efficient design of infrastructure will not decrease the existing facilities service capabilities. Design techniques may include such elements looped potable water lines and pressurization devices.

The stormwater management facility (SMF) will be designed as a wet basin. This basin will provide adequate stormwater treatment so as not to degrade the water quality of the ultimate receiving water body. Furthermore, post-development stormwater runoff will not contribute pollutants which will degrade the water quality and stormwater treatment will provide a level of treatment which meets or exceeds Chapter 62-25 F.A.C and the City of Gainesville's adopted level of service standards.

