



City of Gainesville

1701271

City Hall
200 East University Avenue
Gainesville, Florida 32601

Legislation Text

File #: 000939, **Version:** 0

Petition 183SUB-00PB, Eng, Denman and Associates, Inc., agent for Townsend TND LLC. (Quasi-Judicial) design plat review for 105 lots on 52.54 acres more or less. Located in the 2300 block of Northwest 39th Avenue (South side). Zoned: PD (B)

The Development Review Board considered a request to approve a design plat of the Townsend Subdivision, at a public hearing held January 11, 2001. The Development Review Board approved Petition 183SUB-00DB, with staff conditions.

Subdivision of this site is required as a condition of the Townsend Planned Development, Ordinance 980726. The design plat includes a total of 107 lots on 52.54 acres more or less. The specific uses, dwelling type, and design requirements for each lot are regulated by Ordinance 980726. Specific roadway improvements are shown on the design plat consistent with the requirements of Ordinance 980726. The layout of the design plat differs from the Planned Development Layout Plan in the geometry of Northwest 24th Street. The Layout Plan showed a two-way curvilinear road section, whereas, the proposed plat shows a one-way pair road section in the northern portion of the development that is not curvilinear. The specific geometry of the road sections and the turning radii will be further evaluated prior to final plat. The proposed subdivision has two roadway connections to Northwest 39th Avenue, two roadway connections to Northwest 31st Avenue and two roadway connections to the Palm Grove subdivision, consistent with the requirements of Ordinances 980726 and 980225. The design plat has a greater amount of open space, and includes a larger area of wetland. Some of the existing smaller wetland area will be destroyed and mitigated on-site in the larger common area.

A Certificate of Preliminary Concurrency was granted in association with the design plat only for the lots designated for single-family houses. A Certificate of Final Concurrency will be required at final plat for all single-family, detached residential lots. Concurrency certification is not required for the non-residential lots, multi-family or attached housing lots. Concurrency certification will be required for these lots at development plan approval for each lot.

None

Development Review Board to City Commission - The City Commission approve Petition 183SUB-00 DB with staff conditions. DRB vote 4-0.

Staff to Development Review Board - The Design Plat is approvable with conditions as recommended by the Technical Review Committee.

ORDINANCE NO. 980726
0-99-60

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

An ordinance of the City of Gainesville, Florida, rezoning certain lands within the City and amending the Zoning Map Atlas from "AGR: Agriculture district" to "Planned Development District"; located in the vicinity of the 2300 block of N.W. 39th Avenue and extending south to N.W. 31st Avenue (Glen Springs Road) consisting of approximately 52 acres, commonly known as "Townsend-A Traditional Neighborhood Development"; adopting a development plan report and development plan maps; providing additional conditions and restrictions; providing for penalties; providing a severability clause; and providing an immediate effective date.

WHEREAS, the City Plan Board authorized the publication of notice of a Public Hearing that certain lands within the City be rezoned from "AGR: Agriculture district" to "Planned Development District"; and

WHEREAS, notice was given and publication made as required by law of Public Hearings which were then held by the City Plan Board on November 19, 1998 and November 30, 1998; and

WHEREAS, notice was given and publication made of Public Hearings which were then held by the City Commission on December 14, 1998; and

WHEREAS, pursuant to law, at least ten (10) days notice has been given of the public hearings by publication in a newspaper of general circulation

Petition No. 185 PDV-98PB

-1-

NATURE SAVER™ FAX MEMO 01616		Date	8/19/99	# of pages	36
To	DANN CARTER		From	NEOMIA BROWN	
Co./Dept.	H.		Co.	Clerk's Office	
Phone #	335-8447		Phone #	334-5015	
Fax #	376-0026		Fax #	334-2036	

1 notifying the public of this proposed ordinance and of
2 public hearings in the City Commission meeting room,
3 First Floor, City Hall, in the City of Gainesville; and

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

8 **WHEREAS**, the City Commission finds that the
9 rezoning ordinance is consistent with the City of
10 Gainesville 1991-2001 Comprehensive Plan.

11 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY**
12 **COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:**

13 **Section 1.** The following described property is
14 rezoned from "AGR: Agriculture district" to "Planned
15 Development District";

16 See Exhibit "A" attached hereto and made a
17 part hereof as if set forth in full.
18

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

22 **Section 3.** The Development Plan attached to this
23 Ordinance which consists of the following:

- 24 1. the development plan report entitled
25 "Townsend: A Traditional Neighborhood Development -

1 Planned Development Report", attached hereto and
2 identified as Exhibit "B"; and

3 2. the development plan maps consisting of 10
4 sheets marked "Received June 14, 1998 Planning
5 Division" are incorporated and made a part of this
6 Ordinance as if set forth in full and identified as
7 Exhibit "C". The terms, conditions, and limitations of
8 the Development Plan shall regulate the use and
9 development of the land described herein zoned to the
10 category of Planned Development District as provided in
11 Chapter 30, Land Development Code of the City of
12 Gainesville (hereinafter referred to as "Land
13 Development Code").

14 Section 4. The following conditions, restrictions and
15 regulations (hereinafter "conditions") shall also apply
16 to the development and use of the land. In the event
17 of conflict between the Development Plan referenced in
18 Section 3 of this Ordinance and the following
19 conditions, these conditions shall govern and prevail:

20 A. The Planned Development shall meet all the requirements
21 expressly provided in Exhibit "D" attached hereto and
22 made a part hereof as if set forth in full. These
23 requirements have previously been adopted by City of
24 Gainesville Ordinance No. 980225 on October 12, 1998.

25 ~~B. Trip capacity for this development is currently~~

1 available on Northwest 31st Avenue/Glen Springs Road.
2 There is presently insufficient available capacity on NW
3 39th Avenue for the total average daily trips (ADT's)
4 required for all uses and density that are conditionally
5 authorized by this Ordinance. There are 2,636 ADT's
6 presently available, all of which are hereby reserved
7 for this development and upon adoption of this
8 Ordinance, a Certificate of Preliminary Concurrency to a
9 maximum of 2,636 ADT's on NW 39th Avenue shall be issued
10 for a period of five (5) years from the effective date
11 of this Ordinance. The Certificate of Final Concurrency
12 shall then be issued upon approval of final development
13 plans. The Certificate of Preliminary Concurrency is
14 available for any portion of the project and may be
15 allocated by the developer to the residential and non-
16 residential uses within the planned development in any
17 way deemed appropriate. Transportation mitigation is
18 required because Northwest 39th Avenue is currently
19 operating at greater than 85% of capacity and shall be
20 provided as required by this Ordinance. In the event
21 that the City shall adopt a Transportation Concurrency
22 Exception Area (TCEA) that applies to this planned
23 development, said adoption may effect the development
24 ~~limitation resulting from transportation concurrency~~

1 limitations. Said development will then be regulated
2 by the TCEA ordinance with regard to concurrency. The
3 adoption of an applicable TCEA shall not, however,
4 relieve the owner/developer of providing the concurrency
5 mitigation requirements set forth in Subsection C below.

6 C. Concurrency Mitigation Requirements for this
7 Development: Developer acknowledges the concurrency
8 mitigation requirements and voluntarily agrees to the
9 following mitigation requirements at the developer's
10 sole cost and expense:

11 (1) Convey by deed or dedicate to the City the NW 24th
12 Boulevard extension right-of-way from NW 39th Avenue,
13 to NW 31st Avenue, and clear-cut the right-of-way both
14 of which shall be completed within three years from the
15 issuance of the first Certificate of Occupancy for this
16 planned development.

17 (2) Construction of the roadway extension of NW 24th
18 Boulevard from the existing signal at NW 39th Avenue to
19 NW 31st Avenue (Glen Springs Road) shall be fully
20 completed within five years from the aforesaid
21 Certificate of Occupancy. All roadway design plans for
22 NW 24th Boulevard shall be approved by the City of
23 Gainesville. All design and construction activities in
24 ~~the right-of-way of NW 39th Avenue must be approved by~~

- 1 the Florida Department of Transportation FDOT.
- 2 (3) Construct a bus shelter and convey and record an
3 easement in favor of the City of Gainesville for the
4 bus shelter within three years of the issuance of the
5 first certificate of occupancy for this planned
6 development. The bus shelter shall meet Regional
7 Transit System (RTS) and applicable federal handicap
8 accessibility standards and shall be placed in a
9 location acceptable to RTS.
- 10 (4) a. Re-stripe the southbound approach of NW 24th
11 Boulevard at NW 39th Avenue as an exclusive right turn
12 lane and a shared through left lane. All re-striping
13 shall meet FDOT and City standards. The City has the
14 right to change striping and traffic lanes if deemed
15 necessary in the interest of public safety.
- 16 b. Re-stripe the westbound approach of NW 39th Avenue
17 at NW 24th Boulevard to add an exclusive left turn
18 lane. All re-striping shall be to FDOT and City
19 standards. The City has the right to change striping
20 and traffic lanes if deemed necessary in the interest
21 of public safety.
- 22 c. Install a crosswalk on the south and east side of
23 the intersection of NW 39th Avenue and NW 24th
24 Boulevard.

1 d. The new northbound approach at the NW 39th Avenue/NW
2 24th Boulevard shall consist of two approach lanes
3 which include a shared right turn lane/through lane,
4 and an exclusive left turn lane.

5 e. Intersection improvements shall include signal
6 phasing to FDOT Signal Operating Plan No. 7 with
7 protected-permissive left turn phasing on NW 39th
8 Avenue and permitted left turn phasing on NW 24th
9 Boulevard. Traffic signal modifications shall utilize
10 the existing traffic signal support systems (existing
11 concrete poles and overhead span wires).

12 f. Sidewalk ramps that meet FDOT and applicable federal
13 handicap requirements shall be constructed on the south
14 and east sides of the intersection.

15 g. The Developer is responsible for making appropriate
16 intersection improvements at the two intersections
17 created at NW 31st Avenue (Glen Springs Road) subject
18 to City approval. The City shall determine the
19 appropriate intersection improvements, which may
20 include a roundabout. Developer may contract with
21 the City to make said improvements and reimburse the
22 City for said costs. The City, however, is under no
23 obligation to construct said improvements.

24 h. As to sub-paragraph 4 a thru e above inclusive, the

1 developer voluntarily agrees to pay for said
2 improvements that are estimated not to exceed five
3 thousand dollars and may request that the City make
4 said improvements and reimburse the City for the full
5 cost thereby incurred. The City, however, is under no
6 obligation to construct said improvements.

7 D. The developer voluntarily agrees to dedicate or convey
8 by deed an easement for public ingress/egress on any
9 sidewalk along any collector or local public or private
10 street within the development. All sidewalks within the
11 development, public or private, shall be a minimum of
12 five feet in width.

13 E. The developer shall file a design plat for the areas
14 shown on Sheet H₂ of the Development Plan Map (Exhibit
15 "C") and identified as "Neighborhood General",
16 "Neighborhood Center" and "Neighborhood Edge", and shall
17 obtain approval by the City prior to receiving any other
18 development orders in said zones. The final subdivision
19 plat may occur in phases subject to City approval.
20 Development of the areas identified as "Town Core" and
21 "Village Center" shall require development plan approval
22 and subdivision approval in accordance with Article VII
23 of the Land Development Code. No certificate of
24 occupancy for any development in the "Town Core" or

1 "Village Center" may be approved unless all utilities,
2 roadway access, parking and stormwater management is
3 provided and completed for that portion of the
4 development in the "Town Core" or "Village Center".

5 F. A Property Owners Association shall be formed by the
6 developer and the Association documents shall provide
7 for the maintenance of the common areas by the
8 property owners. The documents shall be reviewed by the
9 City Attorney to determine whether the maintenance of
10 the common areas are adequately provided.

11 G. In order to implement the design guidelines in Tables 1
12 and 2 of the PD Plan Report (Exhibit "B"), the developer
13 is required to provide the following information for
14 each application for development plan approval:

15 a. Total square footage devoted to non-residential
16 development;

17 b. Total square footage devoted to commercial/retail
18 uses (MG 52 through 57 inclusive, 59; 70 through
19 70 inclusive);

20 c. Total square footage of any single-use (single-
21 occupancy) non-residential building;

22 d. Number of new dwelling units;

23 e. Total number of dwelling units;

24 ~~f. Square footage of second and third story~~

- 1 residential units in Town Core and Village Center;
- 2 g. Lot Coverage;
- 3 h. Floor area ratio;
- 4 i. Total number of drive-through lanes;
- 5 j. Number of new combined lots and the total number
- 6 of combined lots by use area;
- 7 k. Number of new front porches and the total
- 8 percentage of buildings with front porches by use
- 9 area; and
- 10 l. Number of new entries facing the street and the
- 11 total percentage of buildings with entries facing
- 12 the street.

13 H. The areas identified as "Neighborhood Edge",
 14 "Neighborhood Center" and "Neighborhood General" on
 15 Sheet H₂ of Exhibit ("C") shall be regulated by the "RC:
 16 12 units/acre residential conservation district" of the
 17 Land Development Code for those matters not specifically
 18 addressed in this Ordinance, except that the dimensional
 19 requirements of the RC district as indicated in Table 2
 20 of Sec. 30-52 of the Land Development Code shall not
 21 apply.

22 I. The areas identified as the "Town Core" and "Village
 23 Center" on Sheet H₂ of Exhibit "C" shall be regulated by
 24 the "MU-1: 10-30 units/acre mixed use low intensity"

1 zoning district for those matters not specifically
2 addressed in this Ordinance, except that the dimensional
3 requirements of the MU-1 district as indicated in 30-
4 64(d) of the Land Development Code shall not apply.

5 Section 5. Any person who violates any of the
6 provisions of this ordinance shall be deemed guilty of
7 a municipal ordinance violation and shall be subject to
8 fine or imprisonment as provided by section 1-9 of the
9 Gainesville Code of Ordinances. Each day a violation
10 occurs or continues, regardless of whether such
11 violation is ultimately abated or corrected, shall
12 constitute a separate offense.

13 Section 6. If any section, sentence, clause or
14 phrase of this ordinance is held to be invalid or
15 unconstitutional by any court of competent
16 jurisdiction, then said holding shall in no way affect
17 the validity of the remaining portions of this
18 ordinance.

19 Section 7. This Ordinance shall become effective
20 immediately upon adoption.

21 PASSED AND ADOPTED this 9th day of
22 August, 1999.

23
24
25


MAYOR
PAULA M. DELANEY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

Kurt Lannon
KURT LANNON
CLERK OF THE COMMISSION

Marion J. Radson
MARION J. RADSON, CITY ATTORNEY

This ordinance passed on first reading this
day of July 26th, 1999.

This ordinance passed on second reading this
day of August 9th, 1999.

185pdv.pet

LEGAL DESCRIPTION

A portion of the NE 1/4 of Section 25, Township 9 South, Range 19 East, City of Gainesville, Alachua County, Florida, being more particularly described as follows:

Commence at the northeast corner of Section 25, Township 9 South, Range 19 East and run thence South 00°33'35" East, along the east boundary of the NE 1/4 of said Section 25, a distance of 75.11 feet to a found 4" x 4" concrete monument (Perry C. McGriff - RLS 509) at the northwest corner of Palmetto Woods Unit No. 1 as per plat thereof recorded in Plat Book K, page 14 of the Public Records of Alachua County, Florida; said concrete monument also being on the southerly right-of-way line of NW 39th Avenue. (State Road No. 232) and being the POINT OF BEGINNING of the herein described property; thence continue South 00°33'35" East, along the east boundary of said NE 1/4, a distance of 2528.04 feet to a set 4" x 4" concrete monument (PRM LB2389) on the northerly right-of-way line of NW 31st Avenue (County Road No. 232-A) (100' right-of-way); said right-of-way line being 50.00 feet northerly of (measured perpendicular) the south boundary of said NE 1/4; thence North 89°59'04" West, along said northerly right-of-way line, a distance of 903.96 feet to a found 3" x 3" concrete monument (PLS 4788) at the southeast corner of that certain parcel of land as described in Official Records Book 2179, page 1684 et seq. of said Public Records; thence North 00°42'31" West, along the easterly boundary of said parcel (O.R. 2179, pg. 1684), a distance of 1516.44 feet to a found 4" x 4" sandstone monument (no identification); thence North 00°11'40" West, along the easterly boundary of said parcel (O.R. 2179, pg. 1684), a distance of 11.91 feet to a found 4" x 4" concrete monument (PLS 4788) at the northeast corner of said parcel (O.R. 2179, pg. 1684); said northeast corner also being the southeast corner of Palm Grove as per plat thereof recorded in Plat Book T, page 52 of said Public Records; thence continue North 00°11'40" West, along the easterly boundary of said Palm Grove a distance of 999.36 feet to a found 5/8" rebar & cap (PLS 4788) encased in concrete at the northeast corner of said Palm Grove; said northeast corner also being on the southerly right-of-way line of said NW 39th Avenue (State Road No. 232); thence North 89°59'47" East, along said southerly right-of-way line a distance of 900.09 feet to a set 4" x 4" concrete monument (PRM LB2389); thence North 89°04'04" East, along said southerly right-of-way line, a distance of 1.36 feet to the POINT OF BEGINNING.

Containing 52.54 Acres, more or less.

TOWNSEND

A TRADITIONAL NEIGHBORHOOD DEVELOPMENT
Planned Development Report
July 16, 1999

EXHIBIT B

RECEIVED

JUL 21 1999

PLANNING
DIVISION

Table of Contents

- I. STATEMENT OF PURPOSE AND INTENT OF THE DEVELOPER: 1
- II. STATISTICAL INFORMATION: 3
- III. STORMWATER MANAGEMENT: 3
- IV. TRANSPORTATION, STREETS AND PARKING: 3
- V. DEVELOPMENT SCHEDULE: 5
- VI. UNIFORM SIGNAGE PLAN: 5
- VII. WETLANDS: 6
- VIII. LAND USES AUTHORIZED: 6
- IX. URBAN DESIGN STANDARDS AND NOTES OF
GENERAL APPLICATION: 8
- GLOSSARY OF TERMS 12
- LEGAL DESCRIPTION 14
- TABLES 1 AND 2

TOWNSEND

A TRADITIONAL NEIGHBORHOOD DEVELOPMENT

Planned Development Report

Prepared
by

TOWNSEND PARTNERS

Submitted in accordance with the requirements of
Sec. 30-214, City of Gainesville, Land Development Code

I. STATEMENT OF PURPOSE AND INTENT OF THE DEVELOPER:

The proposed PD, "TOWNSEND," implements the Planned Unit Development (PUD) land use designation previously approved for this property by the City Commission. TOWNSEND is consistent with, and in furtherance of the City of Gainesville Comprehensive Plan, particularly Policy 2.4.12 of the Future Land Use element, and Article VII, Division 3. Planned Development District, City of Gainesville Land Development Code..

TOWNSEND, consisting of approximately 52 acres, is an ideal site for an infill development designed and implemented in accordance with the principles of traditional town planning. The principles require that development take the form, function and feel of a small town, providing a built environment at a human scale and creating opportunities for sustainable lifestyles. TOWNSEND is a unique development which conforms to the principles of traditional town planning, and as a result, contains the attributes not presently permitted as a by right form of development under the existing City of Gainesville, Land Development Code.

TOWNSEND will complete the community by providing ingredients essential to a traditional town (e.g., places for social gathering; professional, service and civic endeavors; recreation; dining; shopping; banking; and more) all within a comfortable public realm for existing and new residents and all within a short drive, bike ride or walk. Quality of the public realm is assured through the appropriate sizing and placement of buildings in relation to the street, proper sizing of the streets, provision of adequate quality pedestrian space, and proper pedestrian lighting.

The public realm within TOWNSEND will be designed in accordance with same design principles used in Haile Village. While the design concepts, techniques and principles used in TOWNSEND will be the same, TOWNSEND will have its own unique character appropriate to the site and location and is not intended to be a replicate of Haile Village.

TOWNSEND differs from Haile Village in one significant way. Haile Village is addressing mostly neighborhood level needs. TOWNSEND is intended to meet both the neighborhood level and district level needs. The extensive frontage on 39th Avenue makes TOWNSEND an ideal place to address both district level retail and service commercial needs, while also serving neighborhood level requirements for its own residents and that of surrounding residences.

TOWNSEND will provide a network of narrow streets and other traditional infrastructure not found in contemporary developments, such as rear alleys and lanes, sidewalks and street trees. TOWNSEND proposes a collaboration with the City to provide lighting, street trees and traffic calming measures that will serve as a model for future development. The nature of that collaboration is not yet defined and is subject to review and approval by appropriate reviewing boards, City Manager or designee or City Commission, as appropriate.

Skilled application of the time honored principles of traditional town planning ensures that TOWNSEND will provide a healthy mix of residential types and non-residential uses while maintaining internal compatibility. Control of building scale, massing and placement ensures compatibility among a diversity of uses, density and intensity. Pedestrian-friendly streetscapes, coupled with traffic calming ensures traffic is compatible with the community. Terminated and deflected street vistas coupled with a comfortable architecture provides compatibility and visual interest throughout.

External compatibility with uses surrounding TOWNSEND is assured through careful placement of uses and design standards specific to development along the east, south and west property boundaries. Compatibility with the existing and proposed residential developments along each of those boundaries is assured through reasonable buffers and limiting the uses and scale of development. Virtually all of the boundaries are designated Neighborhood Edge and Open Space, to ensure compatibility. The only exception is a small area designated Village Center adjacent to two residential lots in Palm Grove and a small area designated Neighborhood Center. Design standards and use limitations are proposed in this area to ensure compatibility. Connectivity for cars, bikes and pedestrians, between Palm Grove and TOWNSEND is provided in a manner that facilitates a sense of shared community.

TOWNSEND will provide more than a built environment with a sense of place. Fundamental to a complete community is preservation and enhancement of the natural environment, and the careful integration of one with the other. The Timothy Townsend Orton Trust property contains approximately 5 acres of jurisdictional wetland, only a portion of which is functioning. The wetland areas will be preserved with some enhancement of degraded areas possible. A system of low impact trails and access points will be included to provide residents

with scenic vistas of natural and restored landscape, as well as an educational experience. Along Glen Springs Road the property contains a significant stand of large mature oak trees, which to the greatest extent practical, will be retained, ensuring preservation of the beauty and character of the Glen Springs Road frontage.

II. STATISTICAL INFORMATION:

Residential and non residential uses are proposed in six (6) zones. The zones are the TOWN CORE, VILLAGE CENTER, NEIGHBORHOOD CENTER, NEIGHBORHOOD GENERAL, NEIGHBORHOOD EDGE and OPEN SPACE. The zones hereby established are adapted from the *Lexicon for New Urbanism* under development by DPZ Architects and under consideration for adoption by the Congress for the New Urbanism. Additional site data and development design standards for each of the zones within TOWNSEND is contained in the Table 1 attached.

III. STORMWATER MANAGEMENT:

A conceptual master stormwater management plan demonstrating compliance with the stormwater management standards of the St. Johns River Water Management District and the City of Gainesville Comprehensive Plan and Land Development Code shall be prepared and approved by city engineering for the entire site before any final development plans will be approved by the City. The stormwater management plan to be submitted shall provide for upstream pre-treatment plan prior to any release into jurisdictional wetlands. The conceptual stormwater management plan shall be developed to minimize impacts to the natural system. Additional details about the wetlands is provided in paragraph VIII, below. The stormwater and wetlands areas may be maintained by a property owner's association, or at the option of the City, conveyed or dedicated to the City. Stormwater management concurrency must be met at development plan review.

Stormwater facility locations shall be determined by the Developer through consultation with City Public Works and as approved by the City Plan Board or Development Review Board during development plan review. Stormwater facility locations illustrated in the PD Layout Plan are subject to relocation during the development plan review process as approved by the City. When such relocations are approved, the areas previously designated for stormwater facilities shall be re-designated with the adjacent Townsend land use zone.

IV. TRANSPORTATION, STREETS AND PARKING:

Development of TOWNSEND as a unified plan conforming to the principles of traditional town planning allows the City of Gainesville to achieve a longstanding community goal to improve transportation circulation for the area while avoiding adverse impacts normally associated with such improvements. Inherent to a properly designed TND is a high degree of

traffic calming and TOWNSEND will employ a variety of traffic calming strategies including, provision of on-street parking, narrow travel lanes, street deflections and traffic circles. All streets will be designed in accordance with policies contained in *Traditional Neighborhood Development Street Design Guidelines* published by the Institute of Transportation Engineers.

The mixed use areas are anticipated to achieve a high rate of internal trip capture, further reducing impacts of the development compared to conventional development. TOWNSEND is designed to achieve a minimum 23% internal capture rate. In addition to the internal capture of trips from within TOWNSEND, additional trips will be captured from the adjacent Palm Grove development. Direct automotive, bicycle and pedestrian access to TOWNSEND is provided for the entire Palm Grove community. Trip generation analysis for TOWNSEND was provided in a traffic study prepared by *Bucholtz Traffic* which demonstrates that surrounding roads have sufficient capacity to handle the additional trips without causing a degradation in Level of Service (LOS) below acceptable levels.

TOWNSEND will have an interconnected network of onsite streets and will contain an extension of 24th Boulevard from 39th Avenue to Glen Springs Road. One additional street connection is included for both 39th Avenue and Glen Springs Road. The 24th Boulevard extension and all other streets serving TOWNSEND are designed to facilitate traffic volume while ensuring traffic speeds compatible with pedestrian comfort.

On-street parking is allowed on all streets with final design subject to approval by the City's Traffic Engineer. TOWNSEND shall be exempt from the minimum parking requirements of the Division 2, Article IX of the Land Development Code. Off-street parking between building fronts and public streets is prohibited except that parking between such building fronts and public streets is not prohibited for single family detached residential units within areas designated Neighborhood Edge. Where parking areas may abut public streets and sidewalks on the side or at the rear of buildings, a space defining and screening edge shall be maintained within twelve (12) inches of the frontage line using landscaping, screening walls or fences. Parking lots shall not abut street intersections, civic use lots, squares or parks, and shall not terminate a street vista. Parking lots in the Village Center and Town Core shall be permitted to surround stormwater facilities that may be designated a park or square, subject to City approval. All adjacent parking lots shall have internal vehicular connections or connections via an alley or lane.

Street types and locations shall be determined by the Developer through consultation with City Public Works and as approved by the City Plan Board or Development Review Board during development plan review. Street facility locations illustrated in the PD Layout Plan are subject to relocation during the development plan review process as approved by the City. When such relocations are approved, the areas previously designated street shall be re-designated with the adjacent Townsend land use zone.

Pedestrian movement throughout TOWNSEND is provided by sidewalks adjacent to all streets. Additional pedestrian circulation is provided through passages and greenways. Sidewalks

are to be provided by the developer along all internal streets in locations and widths approved during development plan review. In addition, sidewalk connections shall be provided by the developer to existing sidewalks along NW 39th Avenue and Glen Springs Road. All uses facing NW 39th Avenue shall have a sidewalk connection to the existing sidewalk running parallel to NW 39th Avenue. Mid-block pedestrian and bicycle passages may be provided as indicated in the *PD Layout* plan. Greenway bicycle and pedestrian trails in Open Space zones and buffers indicated on the *PD Layout* plan may be provided. Such a trail shall, at minimum, be provided along the western boundary between the connecting streets with Palm Grove, and said trail may be a shared facility with the lanes along said western boundary. Trails may also be provided within the open space areas surrounding the wetland and along the eastern boundary.

The developer shall construct at its own expense a bus shelter at a location and design to be determined through consultation with the Regional Transit System.

The vision triangle requirements of the Land Development Code shall not apply except at the four (4) intersections with 39th Avenue and Glen Springs Road. All other intersections shall meet ASHTO standards.

The 39th Avenue frontage shall, at minimum, comply with the landscaping street standards of the Land Development Code.

V. DEVELOPMENT SCHEDULE:

The PD zoning ordinance shall become null and void unless final development plan approval covering twenty percent (20%) of the site acreage is received within thirty six (36) months of the effective date of this PD ordinance. The developer shall request final development plan approval of areas in increments consisting of not less than ten percent (10%) of a zone. Final development plan approval for portions of each zone may be requested at any time and in any order, at the discretion of the developer. The first development plan application submitted for any portion of the site containing non-residential uses shall include not less than three (3) residential units, or infrastructure supporting not less than twenty-five (25) residential units. Said residential units or infrastructure shall not be required with the first development plan application submitted with non-residential uses if said amount of residential units or infrastructure has already been produced on the site. Final development plan approval for said non-residential use shall not be delayed pending final development plan approval for the required residential units. All development shall be completed within ten (10) years of the adoption of this ordinance. Extensions may be granted by the City Commission upon good cause shown.

VI. UNIFORM SIGNAGE PLAN:

All development within TOWNSEND shall, at minimum, conform to the sign controls of the City of Gainesville contained at Division 1, Article IX of the Land Development Code, except that

only two (2) signs shall be allowed fronting NW 39th Avenue and said signs shall be monument signs and each shall be no larger than seventy-two (72) square feet and not taller than ten (10) feet in height. The two monument signs may be illuminated but may not be internally illuminated. Those properties having frontage on NW 39th Avenue may have wall mounted signs with sign areas not to exceed 10% of the occupancy or 100 square feet, whichever is less. The primary wall mounted sign may face NW 39th Avenue, regardless of the location of the primary entrance to building. Any secondary sign area shall not exceed 24 square feet for each occupancy in Town Core. Each occupancy in the Village Center may have a primary wall mounted sign (not to exceed 10% of the facade area or 100 square feet whichever is less). A secondary wall mounted sign (not more than 10 square feet) facing the internal parking/street network may be permitted. The Village Center may have an additional monument sign (72 square feet per sign face, 8 feet in height) marking the southern entry to the Village Center on NW 24th Boulevard. A uniform sign format shall be established for the Village Center through restrictive covenants enforced by an owners association and said covenants shall be more restrictive than the City's sign requirements. All buildings within the Village Center shall be permitted painted signs on awnings and windows provided the total square footage allowed in Section 30-318 (3) is not exceeded. One indirectly lighted monument sign, not to exceed 8 feet in height and 24 square feet of sign area per side, to identify the Townsend community at each entrance road along Northwest 31st Avenue. No signage for any specific development within the Planned Development shall be located along the right-of-way of Northwest 31st Avenue. Each residential subdivision within Townsend shall be permitted to have an entry sign not to exceed 16 square feet and 8 feet in height. Each sign application for development within Townsend shall include a letter from the Property Owners Association indicating that it has met the requirements for signs in the covenants of Townsend.

VII. WETLANDS:

Jurisdictional wetlands will be retained so that there will be no net loss of jurisdictional wetlands. As previously noted, approximately five (5) acres of TOWNSEND has been determined by the applicant to be jurisdictional wetland. A significant portion of the wetland area is badly degraded, largely due to alterations to the natural hydrology that occurred many years ago when a major drainage facility was created by the Florida Department of Transportation along the eastern boundary of TOWNSEND. Only a portion of the jurisdictional wetland area remains functional. Prior to any final development plan approval, the jurisdictional wetlands shall be delineated by the St. Johns River Water Management District. Existing wetland areas may receive pre-treated stormwater in accordance with the requirements of the St. Johns River Water Management District. Stormwater pre-treatment areas shall be allowed to encroach within the wetland buffer areas to the extent allowed by the St. Johns River Water Management District.

VIII. LAND USES AUTHORIZED:

The *PD Layout* plan establishes the location and configuration of each of the six (6) zones established for TOWNSEND. A range of housing types are proposed within all but the OPEN SPACE zone. Residences above non-residential uses are allowed within the TOWN, VILLAGE and

NEIGHBORHOOD CENTER zones. Townhomes, apartments, attached and detached single family homes in a range of building and lot sizes and configurations are allowed within the three NEIGHBORHOOD zones and the VILLAGE CENTER. The average residential density for TOWNSEND shall not exceed eight (8) units per acre and shall not be less than six (6) units per acre. Thus, a minimum of 312 and maximum of 416 residential units are authorized, based upon the site consisting of 52 acres. The total number of units authorized shall be increased or decreased based upon the total acres verified to be within the Townsend property. A minimum of 40,000 square feet of residential use shall be required above the first or second story of non-residential uses, and may be placed above the first or second story of any part of the 80,000 square feet of non-residential use authorized by this PD within the TOWN CORE and VILLAGE CENTER zones. Development within the TOWN CORE and VILLAGE CENTER are exempted from the floor area limitations of the code.

A range of non-residential uses is authorized in the TOWN CORE and VILLAGE CENTER zones, and more limited non-residential uses are authorized within the NEIGHBORHOOD CENTER, NEIGHBORHOOD GENERAL, NEIGHBORHOOD EDGE and OPEN SPACE zones. A maximum of eighty thousand (80,000) square feet of non-residential use, including retail/commercial, eating places, office, civic, schools, day care centers, and places of religious assembly shall be allowed. The total allowable retail/commercial uses shall not exceed forty thousand (40,000) square feet. Retail/commercial uses are those defined by the 1987 Standard Industrial Classification Manual major groups 52 through 57 inclusive, 59, and 70 through 79 inclusive.

No non-residential use, other than places of religious assembly or private schools, shall be allowed along NW 31st Avenue (Glen Springs Road), or within five hundred (500) feet north from the frontage of NW 31st Avenue. Non-residential uses shall be allowed in all areas of the VILLAGE CENTER except that within 200 feet of 39th Avenue uses shall be limited to residential.

Drive-through facilities are authorized within the TOWN CORE and are subject to specific limitations as provided in Exhibit "D". Drive-through facilities are not authorized within any other zone. A maximum of two (2) businesses, one pharmacy/drugstore and one financial institution, shall be allowed to have drive-through facilities. A maximum of four (4) drive-through lanes are authorized, and no drive-through facility shall have more than three (3) drive-through lanes, and no facility shall be located further south than three hundred (300) feet from NW 39th Avenue. All drive-through facilities shall be sited to minimize adverse impacts to the urban fabric of the Town Core. The drive-through facilities shall conform to the following design requirements:

- Access to drive-through facilities shall not be provided by a driveway used solely for that purpose, thereby minimizing curb cuts and driveways crossing sidewalks; and
- Stacking lanes for drive-through facilities shall not be placed adjacent to a public right-of-way; and
- Drive through facilities shall be located so that they are generally not visible from public right-of-way, except that such facilities may be placed in locations visible

from NW 39th Avenue; and

- Drive through facilities shall be designed so that pedestrian circulation for the use served by the facility and surrounding uses, are not adversely impacted.

Additional specific standards applicable in each of the six (6) zones follows in the attached Table 2.

IX. URBAN DESIGN STANDARDS AND NOTES OF GENERAL APPLICATION:

The following requirements shall apply:

- Townhomes and single family detached residential units shall have a primary entrance fronting the street.
- Similar land uses shall generally face across streets. Dissimilar uses should generally abut at rear lot lines.
- Where an alley or lane would form the edge condition between the Townsend planned Development and single-family property outside the planned development, a 6-foot pressure treated wood fence shall be installed with the required buffer.
- Where no rear lane, alley or common open space separates developed lots from residential property outside the planned development by twenty feet or more, there shall be a rear yard setback of 20 feet for principle structures and residential units and seven and one-half feet for outbuildings without residential units.
- A meeting hall, clubhouse, community pavilion or other neighborhood structures, if any, and neighborhood square shall be located within a five minute walk from any point within TOWNSEND.
- Street lighting shall be provided along all streets at no more than seventy-five (75) foot intervals. Street light structures shall not exceed eighteen (18) feet in height. Street lights shall be installed on both sides of streets at no more than seventy-five (75) foot intervals measured parallel to the street. Street lights in alleys or lanes, if provided, shall be designed in accordance with the standards developed by the Illumination Engineering Society. Street lighting design shall meet the minimum standards developed by the Illumination Engineering Society, and shall use a metal halide light source. Building, wall, and freestanding exterior lighting fixtures shall be directed downward in order to reduce glare onto adjacent properties and streets. Provision shall be made for the maintenance of the street lighting by the developer or the property owner's association for all street lighting within privately owned rights-of-ways. Maintenance of all street lighting within rights-of-ways dedicated to the city shall be by the city.

- Consistent build-to lines shall be established along all streets and public space frontages. The build-to line shall determine the width and ratio of enclosure desired for each street or public space.
- Generally, all buildings shall have their main entrance opening to a street or square (except outbuildings). Not less than eight (80%) of buildings fronting each street shall have their main entrance opening to a street.
- Street trees shall be planted in rights-of-way parallel to the street along all streets except where the trees may conflict with the provision of awnings and colonnades. Trees shall be selected by the developer from the list of street trees on file at the city Department of Community Development. Street trees may be planted in "bulb-outs" within the parallel parking lane. Trees in planting strips shall be placed a minimum of 4 feet from the face of curbs, except when adjacent to parking lanes, which trees may then be placed 2 ½ feet from the face of curbs. All street trees shall be irrigated. Provision shall be made for the maintenance of the street trees by the developer or the property owner's association for all street trees within privately owned rights-of-ways. Maintenance of all street trees within rights-of-ways dedicated to the city shall be by the city
- Trash and Recycling Receptacles, and Loading Docks
 - ö All solid waste, recycling, and yard trash containers (except litter containers), grease containers, and loading docks shall be located in parking areas or in a location remote from sidewalks along streets. When in a parking area, solid waste, recycling, and yard trash containers (except litter containers), grease containers, and loading docks shall be located no closer than twenty (20) feet from a sidewalk along a street.
 - ö Solid waste, recycling, and yard trash containers (except litter containers), grease containers, and loading docks shall be screened to minimize sound to, and visibility from, residences, and to preclude visibility from abutting streets
- Mechanical Equipment
 - ö All outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or side of the building, or otherwise visually screened from the street. Mechanical equipment on the roof shall be screened from abutting streets with parapets or other types of visual screening.

Building Heights

- ö Building height limitations are expressed in number of stories allowed. No floor to floor maximum height is specified. As a result, there is no maximum building height limitation in feet above grade established.

 Building Types

- ö The illustrations of sample building types provided in H4 are for illustrative purposes only. Actual building types may vary from those depicted on sheet H4 but shall meet the principles in Table I of Exhibit "B".

 Landlord Permitting

- ö The City of Gainesville Landlord Permitting requirements shall apply in areas developed with single-family detached housing. All outbuildings ancillary to single-family homes and two family homes shall be required to obtain a landlord permit in accordance with Chapter 14.5 of the City of Gainesville Code of Ordinances.

 Landscaping

- ö Townsend shall be exempt from the landscaping requirements of the Land Development Code except that stormwater retention areas and interior parking areas, shall be required to meet the requirements of the code, and where mixed-use within Townsend abuts off-site single-family a Buffer Type C shall be required, and where apartments or townhomes within Townsend abuts off-site single-family, a Buffer Type B shall be required. Parking areas, if any are provided abutting Northwest 39th Avenue, shall be landscaped to meet the requirements for vehicular use areas in Article VIII of the Land Development Code. The interior of all other parking areas shall be landscaped, however perimeter buffer requirements may be accomplished by wall, fence, hedge or berm. All parking lots shall meet a shading requirement of 50% coverage within 20 years of installation, using the Gainesville Lost of Trees, Article VIII of the Land Development Code.

 Miscellaneous Requirements

- ö A 50 foot setback for buildings and structures shall be provided along Glen Spring Road. No private driveways or structures may encroach into this setback. This setback will preserve the existing tree canopy and is consistent with the setback requirements for double-fronting lots along arterials. In addition, two heritage trees, a 32" Heritage Southern Red Oak

and a 40" Heritage Live Oak shall be shown for protection on any development plan for single-family development that would include encroachment into the drip line of these trees. Fencing shall be required along the property line of the individual lots along Northwest 31st Avenue. The fence design shall be specified in the Townsend Covenants.

- ö Buildings with frontage on Northwest 39th Avenue shall have facades facing the street that are articulated with windows and/or architectural detailing to relieve any wall area of 20 feet or more in length. Mechanical equipment, loading areas and other service uses which are visible from Northwest 39th Avenue shall be screened by landscaping. Where visible from the right-of-way, walls shall be integrated with the development by continuation of similar building facade material as is used at the entrance of such buildings.
- ö Any school or place of religious assembly built within 500 feet of Northwest 31st Avenue shall have its only access from the streets within the Planned Development and shall be required to maintain the same buffer area and fencing as residential development.

GLOSSARY OF TERMS

Following are definitions of certain terms used in the this PD Report:

Accessory Dwelling

A type of outbuilding that is a dwelling unit that is ancillary to a principle structure and subject to all the limitations of an outbuilding.

Alley

A narrow vehicular access way located to the rear of non-residential and mixed-use buildings providing service areas, parking access and utility easements.

Apartment

A building type with multiple dwellings within a single building.

Colonnade

A roof or building structure, extending over the sidewalk, open to the street and sidewalk except for supporting columns or piers.

Porch

An integral part of a building facing the street which is not enclosed above three (3) feet measured from the building finished floor and having a minimum depth of six (6) feet.

Frontage Line

Lot or parcel lines that coincide with a thoroughfare right-of-way or sidewalk easements.

Lane

A narrow vehicular access way located to the rear of residential buildings providing service areas, parking access and utility easements.

Passage

A pedestrian and bicycle only connector passing between buildings, providing shortcuts through long blocks, or to connect rear parking areas with street frontages.

Outbuilding

A small building associated with a principle building by ownership and shared lot or parcel and which may be used for a garage, storage, garden shed, home office or accessory dwelling with separate entrance and kitchen. Outbuildings shall not exceed five hundred (500) square feet, excluding any space allocated to a garage. Accessory dwellings shall not be counted for purposes of determining compliance with the minimum and maximum densities established herein.

LEGAL DESCRIPTION

A portion of the NE 1/4 of Section 25, Township 9 South, Range 19 East, City of Gainesville, Alachua County, Florida, being more particularly described as follows:

Commence at the northeast corner of Section 25, Township 9 South, Range 19 East and run thence South 00°33'35" East, along the east boundary of the NE 1/4 of said Section 25, a distance of 75.11 feet to a found 4" x 4" concrete monument (Perry C. McGriff - RLS 509) at the northwest corner of Palmetto Woods Unit No. 1 as per plat thereof recorded in Plat Book K, page 14 of the Public Records of Alachua County, Florida; said concrete monument also being on the southerly right-of-way line of NW 39th Avenue (State Road No. 232) and being the POINT OF BEGINNING of the herein described property; thence continue South 00°33'35" East, along the east boundary of said NE 1/4, a distance of 2528.04 feet to a set 4" x 4" concrete monument (PRM LB2389) on the northerly right-of-way line of NW 31st Avenue (County Road No. 232-A) (100' right-of-way); said right-of-way line being 50.00 feet northerly of (measured perpendicular) the south boundary of said NE 1/4; thence North 89°59'04" West, along said northerly right-of-way line, a distance of 903.96 feet to a found 3" x 3" concrete monument (PLS 4788) at the southeast corner of that certain parcel of land as described in Official Records Book 2179, page 1684 et seq. of said Public Records; thence North 00°42'31" West, along the easterly boundary of said parcel (O.R. 2179, pg. 1684), a distance of 1516.44 feet to a found 4" x 4" sandstone monument (no identification); thence North 00°11'40" West, along the easterly boundary of said parcel (O.R. 2179, pg. 1684), a distance of 11.91 feet to a found 4" x 4" concrete monument (PLS 4788) at the northeast corner of said parcel (O.R. 2179, pg. 1684); said northeast corner also being the southeast corner of Palm Grove as per plat thereof recorded in Plat Book T, page 52 of said Public Records; thence continue North 00°11'40" West, along the easterly boundary of said Palm Grove a distance of 999.36 feet to a found 5/8" rebar & cap (PLS 4788) encased in concrete at the northeast corner of said Palm Grove; said northeast corner also being on the southerly right-of-way line of said NW 39th Avenue (State Road No. 232); thence North 89°59'47" East, along said southerly right-of-way line a distance of 900.09 feet to a set 4" x 4" concrete monument (PRM LB2389); thence North 89°04'04" East, along said southerly right-of-way line, a distance of 1.36 feet to the POINT OF BEGINNING.

Containing 52.54 Acres, more or less.

TOWNSEND: A TRADITIONAL NEIGHBORHOOD DEVELOPMENT

Table 1: Development Design Requirements

	Town Core	Village Center	Neighborhood Center	Neighborhood General	Neighborhood Edge
Street Frontage Entries	To the maximum extent practical, street-front entries shall be at grade to allow handicap access	To the maximum extent practical, street-front entries for non-residential uses shall be at grade to allow handicap access	To the maximum extent practical, street-front entries for non-residential uses shall be at grade to allow handicap access. Not less than eighty (80) percent of all residential uses shall have entries facing the street.	Not less than eighty (80) percent of all residential uses shall have entries facing the street.	Not less than eighty (80) percent of all residential uses shall have entries facing the street.
Build-To Requirement¹	Buildings shall have the facade built directly on the frontage line along at least forty-five percent (45%) of its linear frontage. For buildings at street intersections, the building shall be built directly on the side street frontage line for at least 35 percent of its linear frontage. This requirement shall not apply to the 39 th Ave frontage.	Buildings shall have the facade built directly on the frontage line along at least seventy percent (70%) of its linear frontage. For buildings at street intersections, the building shall be built directly on the side street frontage for at least fifty percent (50%) of its linear frontage.	Buildings may be set back a maximum of ten (10) feet from the frontage line. Buildings at street intersections shall be set back a minimum of six (6) feet from frontage line and side street line. Setback requirements shall apply to the enclosed portion of the buildings only.	Buildings may be set back a maximum of fifteen (15) feet from the frontage line. Buildings at street intersections shall be set back a minimum of six (6) feet from frontage line and side street line. Setback requirements shall apply to the enclosed portion of the buildings only.	Buildings may be set back a maximum of twenty (20) feet from the frontage line. Buildings at street intersections shall be set back a minimum of six (6) feet from side street line. Setback requirements shall apply to the enclosed portion of the buildings only.

¹ Variance from the build-to and setback requirements established in this table shall be allowed by the City Plan Board or Development Review Board, as appropriate, when needed to preserve heritage trees.

TOWNSEND: A TRADITIONAL NEIGHBORHOOD DEVELOPMENT

Table 1: Development Design Requirements

	Town Core	Village Center	Neighborhood Center	Neighborhood General	Neighborhood Edge
Building Setback Requirement	There are no required building setbacks from property lines.	There are no required building setbacks from property lines.	There are no required building setbacks from property lines. Townhome units may be attached (built with no side setback or as a single building) with not more than five (5) units.	There shall be no required side and rear setbacks. Townhome units may be attached (built with no side setback or as a single building) with not more than four (4) units. Outbuildings shall have no required setback	There shall be a minimum front setback of ten (10) feet. Building setbacks on consolidated lots shall apply as if on a single lot. Townhome units may be attached with a maximum of five (5) residential units attached. Buildings shall be set back from side lot lines an amount that is equivalent to at least twenty percent (20%) of the width of the lot. The entire setback may be allocated to one side. Townhomes shall have a required side setback of ten (10) feet. Buildings shall be set back no less than five (5) feet from the rear lot line. Where no rear lane access exists and vehicular access and access is through the frontage, garages or carports shall be located a minimum of ten (10) feet behind the forward-most vertical element of the building facade. Outbuildings shall have no required setbacks.
Frontage Line Requirement	Where buildings are not placed directly on the frontage line a decorative screening wall, fence or other architectural feature, or dense hedge shall be placed upon the frontage line to maintain a continuous frontage edge.	Where buildings are not placed directly on the frontage line a decorative screening wall, fence or other architectural feature, or dense hedge shall be placed upon the frontage line to maintain a continuous frontage edge.	Where buildings are not placed directly on the frontage line a decorative screening wall, fence or other architectural feature, or dense hedge shall be placed upon the frontage line to maintain a continuous frontage edge.	Where buildings are not placed directly on the frontage line a decorative screening wall, fence or other architectural feature, or dense hedge shall be placed upon the frontage line to maintain a continuous frontage edge.	Where buildings are not placed directly on the frontage line a decorative screening wall, fence or other architectural feature, or dense hedge shall be placed upon the frontage line to maintain a continuous frontage edge.

TOWNSEND: A TRADITIONAL NEIGHBORHOOD DEVELOPMENT

Table 1: Development Design Requirements

	Town Core	Village Center	Neighborhood Center	Neighborhood General	Neighborhood Edge
Encroachments	<p>Balconies and awnings shall be permitted to extend up to 6 feet over the sidewalk.</p> <p>Colonnades shall be permitted to extend up to ten (10) feet over the sidewalk. Enclosed space shall be permitted directly above the sidewalk and Colonnade.</p>	<p>Balconies and awnings shall be permitted to extend up to 6 feet over the sidewalk.</p> <p>Colonnades shall be permitted to extend up to ten (10) feet over the sidewalk. Enclosed space shall be permitted directly above the sidewalk and colonnade.</p>	<p>Porches, stoops, bays, overhangs, chimneys and similar architectural features may encroach into any required setback. Such encroachments shall be restricted by covenants.</p>	<p>Porches, stoops, bays, overhangs, chimneys and similar architectural features may encroach into any required setback. Such encroachments shall be restricted by covenants.</p>	<p>Porches, stoops, bays, overhangs, chimneys and similar architectural features may encroach into any required setback. Such encroachments shall be restricted by covenants.</p>
Building Porosity Requirement	<p>Except for buildings fronting N.W. 39th Avenue, commercial and office building walls facing sidewalks shall have non-reflective, transparent windows or glazed area covering at least 30 percent of the surface at pedestrian level (between 3 feet above grade and 8 feet above grade) on the first floor. Operable entrance doors shall be excluded from the calculation of total facade surface area. Windows or glazed areas facing a sidewalk on the first story of a commercial building shall use glass which is at least eighty percent (80%) transparent.</p>	<p>Commercial and office building walls facing sidewalks shall have non-reflective, transparent windows or glazed area covering at least 30 percent of the surface at pedestrian level (between 3 feet above grade and 8 feet above grade) on the first floor. Operable entrance doors shall be excluded from the calculation of total facade surface area. Windows or glazed areas facing a sidewalk on the first story of a commercial building shall use glass which is at least eighty percent (80%) transparent.</p>			

TOWNSEND: A TRADITIONAL NEIGHBORHOOD DEVELOPMENT

Table 1: Development Design Requirements

	Town Core	Village Center	Neighborhood Center	Neighborhood General	Neighborhood Edge
Front Porch Requirement			A minimum of seventy-five percent (75%) of the buildings shall have front porches. Porches may encroach into any required setback.	A minimum of fifty percent (50%) of the buildings shall have front porches. Porches may encroach into any required setback.	A minimum of twenty-five percent (25%) of the single family buildings on the lots shall have front porches.
Building Elevation Requirement²			Buildings shall be raised a minimum of eighteen (18) inches from finished exterior sidewalk grade.	Buildings shall be raised a minimum of eight (8) inches from finished exterior sidewalk grade.	Buildings shall be raised a minimum of eight (8) inches from finished exterior sidewalk grade.
Off-street Parking Placement		Off-street parking shall be to the rear of buildings.	Off-street parking shall be to the rear of buildings accessed from a lane.	Off-street parking shall be to the rear of buildings accessed from a lane.	Off-street parking shall be setback ten (10) feet from the forward-most vertical element of the building facade. Restrictive covenants shall be established to regulate this requirement.
Rear Lane Requirement			Lots shall have their rear lot lines coinciding with a lane twenty-four (24) feet wide containing a vehicular pavement width of at least ten (10) feet if designed for one way traffic, and sixteen (16) feet of pavement if designed for two way traffic.	Lots shall have their rear lot lines coinciding with a lane twenty-four (24) feet wide containing a vehicular pavement width of at least ten (10) feet if designed for one way traffic, and sixteen (16) feet of pavement if designed for two way traffic.	Lots served by rear lanes shall have their rear lot lines coinciding with a lane of twenty four (24) foot width containing a pavement width of at least ten (10) feet if designed for one way traffic and sixteen (16) feet of pavement if two way.
Building Height Limitations		Buildings that abut existing or proposed single family residential use along the western boundary shall not exceed three (3) stories with required buffering.	Buildings shall not exceed three (3) stories in height and, when fronting a square shall have no less than two (2) stories in height. Buildings on lots that abut existing or proposed single family residential use along the western boundary shall not exceed two (2) stories.	Buildings shall not exceed three (3) stories in height and, when fronting a square, shall have no less than two (2) stories in height. Buildings on lots that abut existing or proposed single family residential use along the western boundary shall not exceed two (2) stories.	Buildings shall not exceed two (2) stories in height.

² Building elevation requirements apply to the maximum extent practical, but where conflict exists between this requirement and the requirements of the Americans with Disabilities Act and applicable fair housing access requirements, the elevation requirement shall be waived.

TOWNSEND: A TRADITIONAL NEIGHBORHOOD DEVELOPMENT

Table 1: Development Design Requirements

	Town Core	Village Center	Neighborhood Center	Neighborhood General	Neighborhood Edge
Maximum Building Coverage	50%	50%	95%	95%	90%
Maximum Impervious Ground Coverage	95%	95%	98%	98%	95%
Maximum Floor Area Ratio	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Lot Dimensions	Not Applicable.	Not Applicable.	<p>Land shall be divided into lots unless developed with townhomes or apartments.</p> <p>Lots, when required, shall have a minimum width of eighteen (18) feet and a maximum width of thirty-six (36) feet, provided that corner lots may have a width of forty-five (45) feet.</p> <p>A maximum of four (4) lots may be consolidated for the purpose of constructing a single building, provided, however, minimum densities required by this PD shall be maintained.</p>	<p>Land shall be divided into lots unless developed with townhomes or apartments.</p> <p>Lots, when required, shall have a minimum width of twenty-four (24) feet and a maximum width of fifty-four (54) feet, provided that corner lots may have a width of seventy-five (75) feet.</p> <p>A maximum of three (3) lots may be consolidated for the purpose of constructing a single building, provided, however, minimum densities required by this PD shall be maintained.</p>	<p>Land shall be divided into lots unless developed with townhomes or apartments.</p> <p>Lots, when required, shall have a minimum width of forty (40) feet and a maximum width of seventy-five (75) feet, with a minimum average lot size of 4,000 square feet. Buildings on fifty-four (54) foot or larger lots shall be detached.</p> <p>A maximum of four (4) lots may be consolidated for the purpose of constructing a single townhome building, provided, however, minimum densities required by this PD shall be maintained.</p>

TOWNSEND: A TRADITIONAL NEIGHBORHOOD DEVELOPMENT

Table 2: Permitted Land Uses

Land Use	Town Core	Village Center	Neighborhood Center	Neighborhood General	Neighborhood Edge	Open Space
Total Acreage	3.7 acres (approximate)	10 acres (approximate)	4.34 acres (approximate)	3.27 acres (approximate)	5.85 acres (approximate)	15.4 acres (approximate) [Approx. 5.73 acres are jurisdictional wetland.]
Gross Floor Area Allowed	A maximum of 60,000 square feet ¹	A maximum of 60,000 square feet	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Area For Publicly Owned Open Space, Recreation, Plazas	None	None	None	None	None	An unknown portion of the Wetland area may be donated to the city.
Area For Common Open Space, Recreation, Plazas						Orton Square will be retained as privately held common area. The Wetland areas, if not retained as privately held common area, may be dedicated to the City or donated to Alachua Conservation Trust
Uses Allowed	This zone lies south and parallel for a maximum of six hundred (600) feet along 39 th Avenue. Uses allowed within this zone are: Residential, retail/commercial, eating places, office, civic, schools, day care centers, and places of religious assembly with retail/commercial uses defined by the 1987 Standard Industrial Classification Manual major groups 52 through 57 inclusive, 59, and 70 through 79 inclusive. No single story retail/commercial building, where the entire building is in a single use, may exceed fifteen thousand (15,000) square feet. Residential use above non-residential use is encouraged, but not required, within this zone. Residential use above non-residential uses is encouraged.	Uses allowed within this zone are: Residential, retail/commercial, eating places, office, civic, schools, day care centers, and places of religious assembly with retail/commercial uses defined by the 1987 Standard Industrial Classification Manual major groups 52 through 57 inclusive, 59, and 70 through 79 inclusive. No single story retail/commercial building, where the entire building is in a single use, may exceed fifteen thousand (15,000) square feet.	Uses allowed within this zone are: Townhomes and single family homes, civic uses, community facilities, places of religious assembly or private schools.	Uses allowed within this zone are: Townhomes and detached single family units are permitted.	Uses allowed within this zone are: Apartments, townhomes and single family detached units are permitted. No apartments or townhomes are permitted within two hundred (200) feet of Glen Springs Road.	This is a civic, recreation and conservation use zone. No residential use shall be allowed within this zone. Only civic uses, community facilities, parks and recreational facilities, and stormwater facilities shall be allowed within this zone.
Outbuildings	Outbuildings shall be permitted.	Outbuildings shall be permitted.	An outbuilding is permitted on each lot.	An outbuilding is permitted on each lot.	An outbuilding is permitted on each lot.	

1. A maximum of 80,000 square feet of non-residential use is allowed for all of Townsend. The required community facility is not included in the 80,000 square feet.

EXHIBIT "D"

2.4.12 The Orton Trust Planned Use District shall consist of a mix of residential and non-residential uses under the following conditions and restrictions:

a. The overall residential density must meet a minimum of six units per acre and a maximum of eight units per acre. The residential density shall be no greater than eight units per acre in single-family detached residential dwellings along Northwest 31st Avenue.

b. No non-residential activity, with the exception of places of religious assembly or private schools, shall be allowed along Northwest 31st Avenue or within 500 linear feet north of the frontage of Northwest 31st Avenue.

c. A maximum of 80,000 square feet of non-residential use, including retail/commercial, eating places, office, civic, schools, day care centers, and places of religious assembly shall be allowed. A maximum of 600 feet of the Northwest 39th Avenue frontage shall be used for non-residential uses. The total allowable retail/commercial uses shall not exceed 40,000 square feet. Retail/commercial uses shall be as defined by the 1987 Standard Industrial Classification Manual major groups 52 thru 57 inclusive, 59; and 70 thru 79 inclusive. All non-residential uses on the perimeter of the planned use district shall be adequately buffered from surrounding residential uses through the use of greenspace, fences, or walls. The buffer widths shall be established in the planned development zoning ordinance.

d. A minimum of 40,000 square feet of residential use shall be required above the first or second story of non-residential uses, and may be placed above the first or second story of any part of the 80,000 square feet of non-residential use authorized by this planned use district.

e. The maximum allowable square footage for any one-story retail/commercial building where the entire building is in a single use is 15,000 square feet.

f. A maximum of two businesses shall be allowed to have drive-through facilities. The drive-through facilities may only be used for a pharmacy and a financial institution. A maximum of four drive-through lanes shall be allowed and no more than three lanes shall be allowed for any single use. The planned development zoning ordinance shall require that any drive-through facility shall be designed to maximize pedestrian safety and convenience and shall establish design standards that ensure that drive-through facilities do not adversely affect the quality of the public realm or urban character of the area. Drive through facilities can only be located within 300 feet of the Northwest 39th Avenue frontage.

g. A minimum of eight acres shall be provided in common open space for conservation and recreation.

ORDINANCE NO. 130981

1
2
3 **An ordinance of the City of Gainesville, Florida, amending Ordinance No.**
4 **980726 to extend certain development time limits for approximately 52 acres of**
5 **property known as the “Townsend Planned Development” that is located in**
6 **the vicinity of the 2300 block of NW 39th Avenue and extending south to NW**
7 **31st Avenue (Glen Springs Road) to allow for the construction of the extension**
8 **to NW 24th Boulevard, the dedication of right-of-way, and the completion of the**
9 **Planned Development; providing a severability clause; providing a repealing**
10 **clause; and providing an immediate effective date.**

11
12 **WHEREAS,** Planned Development District (PD) zoning is an entirely voluntary method for
13 landowners or developers to submit unique proposals that are not provided for or otherwise allowed
14 in the zoning districts established by the City of Gainesville Land Development Code; and

15 **WHEREAS,** Section 30-219 of the Land Development Code provides that the City
16 Commission may establish reasonable time limits for the development of a PD, which the City
17 Commission may extend for good cause. If such time limits are not complied with or extended for
18 good cause, the City Commission may rezone the property or any part of it; and

19 **WHEREAS,** on August 9, 1999, the City of Gainesville City Commission adopted
20 Ordinance No. 980726 and rezoned the property that is the subject of this ordinance to PD with
21 certain development time limits; and

22 **WHEREAS,** on March 25, 2014, the developer of the property that is the subject of this
23 ordinance, Townsend TND, LLC, applied for extensions of certain development time limits as
24 provided in Ordinance No. 980726; and

25 **WHEREAS,** on June 4, 2014, the City Commission authorized the City Attorney to draft an
26 ordinance to extend such development time limits as provided in PD Ordinance No. 980726 to allow
27 for the construction of the extension to NW 24th Boulevard, the dedication of right-of-way, and the
28 completion of the PD; and

1 **WHEREAS**, at least ten (10) days' notice has been given once by publication in a
 2 newspaper of general circulation notifying the public of this proposed ordinance and of public
 3 hearings in the City Hall Auditorium located on the first floor of City Hall in the City of
 4 Gainesville; and

5 **WHEREAS**, public hearings were held pursuant to the notice described above at which
 6 hearings the parties in interest and all others had an opportunity to be and were, in fact, heard; and

7 **WHEREAS**, the City Commission finds that this ordinance is consistent with the City of
 8 Gainesville Comprehensive Plan.

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

11 **Section 1.** Sections 4.C.(1) and 4.C.(2) of Ordinance No. 980726 are amended as
 12 follows. Except as amended herein, the remainder of Section 4 remains in full force and effect:

13 C. Concurrency Mitigation Requirements for this Development: Developer acknowledges
 14 the concurrency mitigation requirements and voluntarily agrees to the following
 15 mitigation requirements at the developer's sole cost and expense:

16 (1) Convey by deed or dedicate to the City the NW 24th Boulevard extension right-of-way
 17 from NW 39th Avenue, to NW 31st Avenue, and clear-cut the right-of-way both of which
 18 shall be completed by March 29, 2018; provided, however, the deeding or dedication
 19 shall not occur until after the construction described in (2) below is fully
 20 completed.~~within three years from the issuance of the first Certificate of Occupancy from~~
 21 ~~this planned development.~~

22 (2) Construction of the roadway extension of NW 24th Boulevard from the existing signal at
 23 NW 39th Avenue to NW 31st Avenue (Glen Springs Road) shall be fully completed by

1 March 29, 2018, ~~within five years from the aforesaid Certificate of Occupancy~~. All
 2 roadway design plans for NW 24th Boulevard shall be approved by the City of
 3 Gainesville. All design and construction activities in the right-of-way of NW 39th
 4 Avenue must be approved by the Florida Department of Transportation FDOT.

5 **Section 2.** Section V. of Exhibit “B” to Ordinance No. 980726 (“Townsend: A
 6 Traditional Neighborhood Development – Planned Development Report” dated July 16, 1999) is
 7 amended as follows. Except as amended herein, the remainder of Exhibit “B” to Ordinance No.
 8 980726 remains in full force and effect:

9 **V. DEVELOPMENT SCHEDULE:**

10 The PD zoning ordinance shall become null and void unless final development plan approval
 11 covering twenty percent (20%) of the site acreage is received within thirty six (36) months of the
 12 effective date of this PD ordinance. The developer shall request final development plan approval of
 13 areas in increments consisting of not less than ten percent (10%) of a zone. Final development plan
 14 approval for portions of each zone may be requested at any time and in any order, at the discretion of
 15 the developer. The first development plan application submitted for any portion of the site
 16 containing non-residential uses shall include not less than three (3) residential units, or infrastructure
 17 supporting not less than twenty-five (25) residential units. Said residential units or infrastructure
 18 shall not be required with the first development plan application submitted with non-residential uses
 19 if said amount of residential units or infrastructure has already been produced on the site. Final
 20 development plan approval for said non-residential use shall not be delayed pending final
 21 development plan approval for the required residential units. All development shall be completed by
 22 August 9, 2022, ~~within ten (10) years of the adoption of this ordinance~~. Extensions may be granted
 23 by the City Commission upon good cause shown.

1 **Section 3.** Except as expressly amended by this ordinance, the remaining provisions of
2 Ordinance No. 980726 shall remain in full force and effect.

3 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance
4 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
5 finding shall not affect the other provisions or applications of this ordinance that can be given
6 effect without the invalid or unconstitutional provision or application, and to this end the
7 provisions of this ordinance are declared severable.

8 **Section 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
9 conflict hereby repealed.

10 **Section 6.** This ordinance shall become effective immediately upon adoption.

11

12 PASSED AND ADOPTED this 18th day of September, 2014.

13

14

15

16

17

18

19

20

21

22

23

24

25

26


EDWARD B. BRADDY
MAYOR

Attest:

Approved as to form and legality:


KURT M. LANNON
CLERK OF THE COMMISSION


NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance passed on first reading this 4th day of September, 2014.

This ordinance passed on second reading this 18th day of September, 2014.