

Petition 10PDV-04 PB, Legislative Matter No.
City Plan Board and Staff Conditions
March 18, 2004

030904a

Condition 1.

Up to 15,000 square feet of commercial and office uses may be allowed on parcel 14097-001-000 and 14097-002-000, along Northwest 13th Street. Commercial and office uses shall be those designated on Attachment A.

Condition 2.

Commercial uses office buildings must be located in a multi-story building ~~minimum of two stories~~ with a design and architectural pattern that is compatible with the remainder of the development, and must comply with development requirements of the Traditional City Special Area Plan.

Condition 3.

A creek setback line has been established along the south side of the creek. Any development proposed within close proximity of that line must demonstrate that there will be no negative impact on the north side of the setback line.

Condition 4.

An appropriate mechanism, such as building configuration and orientation, a fence and/or an above grade boardwalk system with a railing fencing (which shall include wall or fence) may shall be erected between the residential and the areas designated as creek setback on the south ~~both~~ sides of the creek. The proposal shall address construction activity, safety after construction and the need to protect the creek system and its buffers from activities that may have a negative impact. The exact type and nature of the fencing shall be determined during development plan review.

Condition 5.

Prior to development approval, the applicant must coordinate with staff: Public works, Planning, ACDES and the City Arborist to establish a limit of development/creek setback along the north side of the creek.

Condition 6.

Except for maintenance activities provided in the PD ordinance, no development, beyond construction of the fence and/or an above grade boardwalk system with a railing or stormwater management, shall be allowed within or over the areas delineated as setbacks north and south of the creek.

Condition 7.

The building along Northwest 13th Street should be setback between ~~1520~~ to 30 feet from the curb. The exact placement should be one that would facilitate the following:

- a. allow sidewalks between 6 to 8 feet wide;
- b. allow placement of street trees;
- c. provides for the greatest pedestrian safety;

- d. allows separation from the high volume traffic activity of the street;
- e. addresses the required variation in building rhythm; and
- f. provides for units to have an orientation and entrance off the street.

Condition 8.

Building along Northwest 13th Street and Northwest 7th Avenue, should present an architectural style, which reflects a multiple-unit façade, each with a separate identity. Entrances at ground level should be oriented towards the street with stairs, porches or a compatible entrance feature directly related to the adjacent sidewalk.

Condition 9.

Building height shall be a minimum of two stories and a maximum of five stories or 65 feet along Northwest 13th Street. If more than three stories are proposed along Northwest 13th Street, the upper stories shall be terraced or stepped back.

Condition 10.

Building height along Northwest 7th Avenue shall be a maximum of three stories or 39 feet, as measured from the finished floor elevation to the top plate of the highest story and excluding stair towers.

Condition 11.

Existing trees along Northwest 12th Street shall be preserved, except those determined by the city arborist to be invasive species or that have no significant value.

Condition 12.

The type, extent and scale of development proposed on the portion of the property fronting Northwest 8th Avenue shall be determined after a detailed review of the environmental factors of the area.

Condition 13.

Any development on that portion must provide all supporting facilities, including parking, stormwater and emergency services.

Condition 14.

Signage for the development shall be in accordance with the Land Development Regulations.

Condition 15.

The maximum allowable density on the subject property shall be 30 dwelling units per acre. ~~The maximum number of residential units north of the creek shall not exceed 10 units.~~

Condition 16.

One access point will be allowed onto Northwest 7th Avenue and Northwest 13th Street. The configuration and location of each access shall be determined during development

review. The reviewing body shall impose standards appropriate to facilitating safe and efficient movement of traffic. All traffic improvements shall be at the full expense of the applicant. The final determination of access points shall be based on a full traffic analysis, such as the analysis provided by the applicant with this petition.

Condition 17.

If development is feasible on the north side of the creek, one access point may be allowed onto Northwest 8th Avenue. The configuration and location of each access shall be determined during development review. The reviewing body shall impose standards appropriate to facilitating safe and efficient movement of traffic. All traffic improvements shall be at the full expense of the applicant. The final determination of access points shall be based on a full traffic analysis

Condition 18.

Design, placement and configuration of the limited access points off Northwest 12th Street shall be determined during development plan review by the departments having jurisdiction.

Condition 19.

During development review, the city shall analyze the proposed development in terms of its traffic impact on the existing roadway and traffic signalization patterns. The petitioner/developer may be required to make improvements commensurate with the potential impacts of the development on the roadway system of the context area as described in the traffic study as submitted with this petition.

Condition 20.

The development shall provide vehicular and bicycle parking consistent with the parking standards in the Land Development Code.

Condition 21.

On street parking may be provided but shall not be solely allocated to the development.

Condition 22.

Along Northwest 12th Street, building setbacks shall be established in a manner that will preserve the existing non-invasive trees, which are greater than eight (8") inches. During development review, the development review board and/or the city manager or his designee, may allow removal of trees based on safety and health of the specific tree/s in questions.

Condition 23.

Along NW 7th Avenue, building setbacks shall be established in a manner that will allow placement of a 6-foot to 8-foot wide sidewalk, allow tree planting and a vehicular street entrance along that Avenue.

Condition 24.

Along Northwest 13th Street, building setbacks shall be established in a manner that will allow placement of a 6-foot to 8-foot wide sidewalk, allow tree planting, and a vehicular street entrance and building front orientation along that street.

Condition 25.

Treatment of streetscape, street and sidewalk design and building orientation shall be consistent with the intent of the Traditional City ~~and Central Corridor Overlay.~~

Condition 26.

Along the project roadway frontages, where existing sidewalks are deficient or deteriorated, the development shall provide sidewalks to meet code requirements.
~~In areas where existing sidewalks are deficient or deteriorated, the development shall provide sidewalks to meet code requirements.~~

Condition 27.

The PD shall be valid for a period of two (2) years. During that period, the applicant must get development plan approval from the City Plan Board consistent with the PD zoning the appropriate reviewing board must issue development plan approval. Final development plan approval, from the TRC, must be obtained within one year of obtaining preliminary development approval from the board. A construction schedule shall be adopted during development review.

Condition 28.

Application for a building permit must be filed within one year of obtaining a final development order. Construction must commence no later than one year after obtaining a final development order or one year after receiving a building permit, whichever is later.

Condition 29.

A one-time, one-year extension of the valid dates of the Land Use and PD may be approved by the city commission, after review by the City Plan Board. This also includes the valid period for obtaining a building permit and commencing construction.

City of
Gainesville

Inter-Office Communication

Planning Division
x5023, FAX x3259, Station 12

Item No. 3

TO: City Plan Board

DATE: March 18, 2004

FROM: Planning Division Staff

SUBJECT: Petition 10PDV-04 PB. Causseaux and Ellington, Inc., agent for Park Central Holdings. Rezone property from OF (general office), MU-1 (mixed-use low intensity 10-30 du/acre), and RMF-8 (multiple-family medium density residential 8-30 du/acre) to PD (planned development) for a 225-unit multiple-family apartment complex on 7 acres more-or-less. Located in the 1200-1300 block between Northwest 7th and 8th Avenues. Related to Petition 9LUC-04 PB.

Recommendation

Planning staff recommends approval of Petition 10PDV-04 PB with conditions.

Explanation

This petition addresses a request to change the zoning on the subject property from OF, MU-1 and RMF-8 to Planned Development to allow 225 multi-family residential dwelling units. It is related to a request to change the land use on the above referenced property from Office, Mixed-use Low Intensity, and Residential Medium Density to Planned Use District. Included with the application are a PD Layout Plan, Development Report and a Traffic Study. The Development Review Board in accordance with the regulations adopted with this ordinance will review preliminary and final development plan.

The request includes tax parcels 14095-001-000, 14096-000-000, 14095-000-000, 14097-002-000 and 14097-001-000, which comprises a total of 7.57 acres. The parcels are located at the southeast corner of Northwest 13th Street and Northwest 8th Avenue. They are bounded by Northwest 7th Avenue on the south, Northwest 12th Street on the east, Northwest 8th Avenue on the north and Northwest 13th Street to the west.

The property is heavily wooded, except for the portion along Northwest 13th Street, which was formerly developed. The Rattlesnake Branch Creek, a regulated creek, traverses the property in an east-west direction, at approximately 60 feet from Northwest 8th Avenue along the west property boundary and 180 feet from Northwest 8th Avenue along the east property boundary.

Associated with the creek are flood plain areas, flood channel and wetland areas, which will affect the extent of development on the north side of the Rattlesnake Branch.

Analysis

This planned development request includes a PD layout plan, a development plan report and supporting documentation. The applicant intends to file for full development plan review after approval of the Land Use and Planned Development ordinance. In reviewing the proposed Planned Development, staff considered the following criteria:

Conformance with Comprehensive Plan

The essential elements of the development as proposed, are in conformance with the overall goals and objectives of the Comprehensive Plan. The associated land use petition contains details, which will be included to ensure full compatibility, and conformance as the proposal is implemented. The types of uses proposed in the Planned Development zoning is also consistent with what is required in the comprehensive plan as well as the specific land use designation of Planned Use District. Aspects of the development are consistent as proposed, while others, such as environmental, transportation, open space, pedestrian movement are addressed in other parts of this document under the appropriate section.

Concurrency

A concurrency review has been conducted on the development. A determination has been made that the adjacent road network has adequate capacity to accommodate the traffic generated by the development. A preliminary or final certificate of concurrency will be considered during the development review process.

Internal compatibility

In terms of uses, the development is internally compatible in that the predominant use is residential with a number of related accessory support uses. The applicant did not include any commercial in the request; however, due to the orientation and compatibility to existing commercial uses along Northwest 13th Street, an option to develop 15,000 square feet of commercial and offices may be included in the development plan.

Co-existing with the proposed residential uses is the Rattlesnake Branch Creek. Its existence has resulted in the establishment of a number of environmentally sensitive areas where a rebuttable presumption is established that development in those designated areas are detrimental to the creek system and should not occur in those designated areas. The option to develop on the areas north of the creek remains questionable. The element of doubt is centered on the internal compatibility of intended residential with the adjacent creek system, flood channel, flood plain and wetlands.