

TO: City Plan Board

Item Number: 5

FROM: Planning & Development Services Department
 Staff

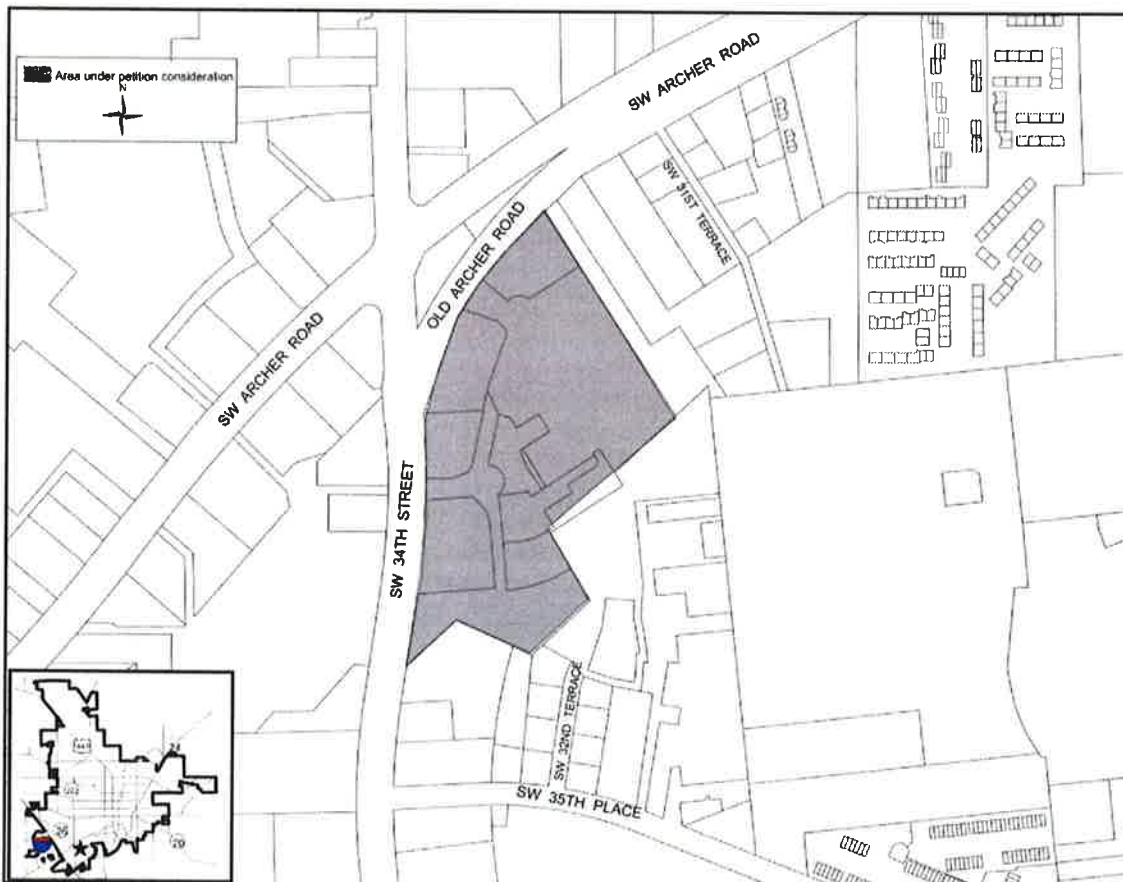
DATE: March 27, 2014

SUBJECT: Petition PB-14-21 PDA. Causseaux, Hewett & Walpole Inc., agent for Argate Properties. Amend the University Towne Center Planned Development (PD) signage regulations. Located in the 3100 block of SW 34th Street.

Recommendation

Planning staff recommends denial of Petition PB-14-21 PDA as submitted by the applicant.

Planning staff recommends approval of an alternative proposal to amend the University Towne Center PD Conditions and associated PD Layout Map, as revised by staff. Planning staff also recommends deletion of the remaining text in Resolution Z-99-48, which consists of "Bases" for the 1999 approval by the Board of County Commissioners and "Additional Notes" from County staff that pertain to City of Gainesville comments regarding a mixed-use component and to County staff comments regarding connection to SW 32nd Terrace.



Explanation

This petition requests amendment of the University Towne Center planned development (PD), which is a non-residential PD that was approved by the Board of County Commissioners by Resolution Z-99-48 on October 12, 1999 and was annexed into the City by referendum in 2002. This PD has not been updated to reflect that it is under the regulatory authority of the City of Gainesville.

This development is on an 18.5-acre property located at the southwest corner of the intersection of SW 34th Street and Old Archer Road. Please see the general location map on the previous page and the attached aerial photograph (see Exhibit B-1). This planned development is not completely built out. It is adjacent to commercial and multiple-family developments to the south, to SW 34th Street to the west, Old Archer Road to the north (beyond which is commercial development), and to a private street, undeveloped and wooded land, and multiple-family developments to the east. See Table 1 for additional information on adjacent zoning and land use. The University Towne Center planned development has Commercial land use and Planned development district (PD) zoning. It is located within the Idylwild/Serenola Special Study Area.

Applicant's Proposal

The applicant's proposed planned development amendment entails substantial revision and expansion of the signage provisions (Condition 12, conditions a., b. and c. of the existing planned development resolution, Z-99-48). The associated PD Layout Map has been updated to show the revised PD conditions (and General Notes that have been revised to refer to Gainesville's Comprehensive Plan and Land Development Code rather than those of Alachua County). (See Exhibit B-5: Signage Regulation Comparison, which was provided by the applicant). The applicant's revised signage conditions follow (City planning staff comments are within brackets and in bold font):

~~12~~ 10 Signage for the ~~PUD~~ PD shall consist of the following:

- ~~a.~~ a. Monument type signs at the two main ~~PUD~~ PD entrances on Old Archer Road and SW 34th Street, limited to 6 feet in height and 10 feet in width, including coordinated signage for the outparcels. No pole mounted signs shall be permitted. No movable readerboard-type signs shall be permitted. No internally lit signs shall be permitted. **[Staff comment: This provision does not match the City's sign ordinance (other than the prohibition on changing message signs ("movable readerboard")) and should be deleted.]**
- ~~b.~~ b. Total building signage for each commercial building shall not exceed 1 square foot per lineal foot of the longest side of the building, with no individual sign to exceed 90 square feet. Building signs may be oriented to each street or vehicular use frontage of each building. **[Staff comment: This provision does not match the City's sign ordinance and should be deleted.]**
- ~~c.~~ c. A 30 square foot monument type sign for the ~~PUD~~ PD may be provided at the 2 secondary ~~PUD~~ PD entrances along Old Archer Road and SW 34th Street. **[Staff comment: This provision does not match the City's sign ordinance and should be deleted.]**
- ~~a.~~ a. Legally permitted signs in place at the time this Ordinance is adopted shall be exempt from this condition and permitted to continue in their current form.

[Staff comment: This provision should be deleted because it is unnecessary. Legally permitted signs that do not comply with current sign regulations are subject to the requirements of sub-section 30-324 (Nonconforming signs; limitations; removal of signs).]

- b. Signage in areas visible from the public right-of-way, as shown on the PD Signage Plan Map adopted as Attachment _____ to the PD Ordinance, shall be regulated by the City of Gainesville Land Development Code. **[Staff comment: This provision should be deleted. The City’s sign ordinance currently applies to all signage visible from the public right of way, and the City’s pending revised sign ordinance will apply to signage visible from either public or private streets.]**
- c. Amendment to the PD Signage Plan Map shall be approved administratively by the City Manager, or designee, without requiring an amendment to the University Towne Center PD Ordinance. **[Staff comment: This provision should be deleted because such a map is not recommended for adoption, and even if it were to be adopted, it could not be amended without amending the PD ordinance, which requires approval by the City Commission.]**
- d. Internal signage not visible from the public right-of-way shall be consistent with the City of Gainesville Land Development Code, except as described in Condition 10.e., f., and g. **[Staff comment: This provision should be deleted. The City’s pending revised sign ordinance will apply to signs that are visible from either public or private streets.]**
- e. Temporary Signs: A new business or business in a new location that has not yet installed a permanent sign, or a business which has its permanent signs destroyed may obtain a permit for a temporary sign of up to 300 square feet in sign area for a period of not more than 90 days, or until installation of permanent signs, whichever occurs first. The sign may have a border up to six inches in width, and shall not exceed twelve (12) feet in height if freestanding. The sign may be attached to the building at a height not to exceed the roofline and/or parapet. **[Staff comment: This provision is a substantial expansion of existing (and proposed) City sign ordinance allowances for the area and height of temporary signs and it should be deleted. Current City sign regulations allow such businesses to obtain a permit for a temporary sign of up to 16 square feet and up to 6 feet in height for a period not to exceed 60 days or until permanent signs are installed, whichever occurs first. Proposed City sign regulations allow such businesses to apply for up to two temporary signs of up to 32 square feet each and up to 8 feet in height for a period not to 120 days or until permanent signs are installed, whichever occurs first.]**
- f. Building-mounted signs: Single- or Multiple-Occupancy Buildings and Developments – 2 Stories or Less.
 - I. Primary Signs:
 - i. Each occupant shall be allowed one (1) primary sign.
 - ii. The sign shall be installed on the primary entrance side of the building, within the limits of the occupant’s leased space.
 - iii. The sign shall be no greater than 300 square feet in size.
 - iv. The sign must comply with all applicable building and electrical codes.
 - II. Secondary Signs:
 - i. Each occupant shall be allowed one (1) secondary sign.
 - ii. No secondary sign shall be allowed to be located on any face of a building or any roof which would be directly opposing any property having a single-family land use designation or zoned for single-family use.
 - iii. The secondary sign shall be no greater than 200 square feet in size.
 - iv. The sign must comply with all applicable building and electrical codes.
 - III. Accessory Signs:

- i. Each occupant shall be allowed up to four (4) accessory signs.
- ii. The signs shall be allowed within the area leased or owned by the occupant and on a building side which is the primary entrance / exit to the occupancy.
- iii. The total accessory sign area shall be no greater than 100 square feet.
- iv. The sign must comply with all applicable building and electrical codes.

[Staff comment: These provisions should be deleted because they are a substantial expansion of existing (and pending) City sign ordinance allowances pertaining to wall signs. They increase the maximum sign area to 300 sq. ft. from the current maximum of the lesser of 100 sq. ft. or 10 percent of building elevation area for single occupants of multiple family developments, and from a current maximum of the lesser of 200 sq. ft. or 20 percent of building elevation area for a single-occupancy development. They increase both the maximum sign area and the number of secondary signs. In addition, these proposals include a new category of signs (“accessory signs”) which would increase the number of signs for each occupant by up to four signs and would add up to 100 square feet of additional sign area for each occupant.]

- g. Directional Signs: These signs shall be limited to the name of the development and/or the names of the occupants of the development, and shall comply with the following conditions:

- i. The signs shall not be located within 100 feet of any public right-of-way line.
- ii. A single business or activity shall be limited to two (2) square feet per individual sign face.
- iii. The directional sign shall not exceed a total area of 50 square feet.
- iv. The maximum height of a directional sign shall not exceed six (6) feet.

[Staff comment: These provisions are acceptable with the addition of section g.v. (see below). The map of Special PD Directional Signs is needed to identify the allowable locations for these signs. These locations were proposed by the applicant in their proposed PD Signage Plan Map that is referred to in the applicant’s proposed conditions 10 b. and 10 c., which, as previously explained in this staff report, should be deleted.

- v. A maximum of five (5) directional signs internal to the development is allowed in the PD and these signs may be sited only at the locations identified on the map entitled University Towne Center PD – Special PD Directional Signs.]

Staff Proposal

City staff proposes deletion of all of the applicant’s proposed additional signage conditions with the exception of Directional Signs (which need one added sub-condition), as was explained in the preceding section of this report. Staff requested and supports (as does the applicant) the non-signage related changes to the PD conditions (and to the PD Layout Map) because they are needed for consistency with applicable provisions of the City’s Land Development Code and Comprehensive Plan.

Please see Exhibit A-1, PD Amendment. City staff’s revisions to the applicant’s proposed amendment of the University Town Centre PD conditions are shown in shaded text. Also see Exhibit A-2, Map - University Towne Center PD – Special PD Directional Signs. The Special

PD Directional Sign locations must be shown on the PD Layout Map which is to be adopted as part of this PD Amendment.

Staff Analysis

City staff supports the proposed condition regarding Special PD Directional Signs, has added a sub-condition limiting the total number of such signs to five, and recommends that all other signage be regulated by the City's sign ordinance. Staff does not support the other proposed signage conditions because they are inconsistent with the: Comprehensive Plan (Urban Design Element, Objective 1.6: "Guide large, corporate, national chain sales and service establishments toward a design that promotes the unique character of Gainesville"); intent of the City's sign ordinance (see Exhibit B-4: LDC Sect. 30-315 – Sign regulations. Purpose and objectives); and with the intent of the Planned development (PD) district (See Exhibit B-2: LDC Sec. 30-221 – Planned development district. Purpose and intent.).

The proposed allowances for other signs (Temporary Signs, Building Mounted Signs) exceed in number and substantially exceed in size what is allowed by the City's existing and proposed sign ordinance, and are inconsistent with its intentions. The proposed Accessory Signs are not allowed by the City's sign ordinance, regardless of size or number of signs.

One of the intentions of the City's sign ordinance is stated in sub-section 30-315 (d): "The aesthetic impact of signs is an economic fact which may bear heavily upon the enjoyment and value of property; therefore the regulation of signs is validly justified on the basis of conserving the value of property and encouraging the most appropriate use of land throughout the municipality. Furthermore, it is not irrational for a community's citizens to plan their physical surroundings in such a way that unsightliness is minimized." Another is within sub-section 30-315 (c): "...to protect and preserve the aesthetic qualities of the community by regulating the placement, installation and maintenance of signs. The fact that such signs are intended to be seen grants to signs a proportionately greater role than other structures in determining the overall aesthetic quality of the community." Another intention of the City's sign ordinance is stated in sub-section 30-315 (e) (7): "To regulate the placement, height and size of signs which are compatible to a pedestrian and motorist scale."

The applicant's proposal does not contain unique and innovative signage provisions other than allowance of an excessive number, size and height of signs. No standards for sign materials or for unified design are proposed. These proposed signage conditions are inconsistent with the purpose and intent (Sec. 30-211) of the Planned development (PD) district, as follows:

Sub-section (6) "Enhance the combination and coordination of architectural styles, building forms and building relationships within the development."

The other proposed signage conditions not only substantially exceed the allowances of the City's sign ordinance, are inconsistent with Comprehensive Plan, Planned development district, and the intent and objectives of the City's sign ordinance, they are counter to the strict signage limitations of the current University Towne Center planned development and clearly do not meet the higher standards associated with planned development zoning.

Conclusion

City staff supports the proposed condition regarding Special PD Directional Signs, has added a provision limiting the total number of such signs to five, and recommends that all other signage be regulated by the City's sign ordinance. Staff does not support the other proposed signage conditions because they are inconsistent with the: Comprehensive Plan; purpose and objectives of the City's sign ordinance; and with the purpose and intent of the Planned development (PD) district. In addition, the other proposed signage conditions not only exceed the allowances of the City's sign regulations, they are counter to the strict signage limitations of the current University Towne Center planned development.

Staff requested and supports (as does the applicant) the non-signage related changes to the PD conditions (and to the PD Layout Map) because they are needed for consistency with applicable provisions of the City's Land Development Code and Comprehensive Plan.

Key Issues

- The existing planned development order (Alachua County Resolution Z-99-48) and associated PD Layout Map need to be updated for consistency with applicable City of Gainesville regulations.
- The proposed amendments to the existing PD with respect to signage conditions, other than those pertaining to Special PD Directional Signs, are inconsistent with the Gainesville Comprehensive Plan and with the purpose and intent of the Planned development district and the intent and objectives of the City's sign ordinance.

Basis for Recommendation

In considering this proposed planned development amendment for approval, the City Plan Board and the City Commission shall evaluate the proposal in consideration of the following criteria:

1. Conformance with the PD Objectives and Comprehensive Plan

The signage requirements proposed by the applicant, with the exception of the Special PD Directional Signs, do not conform with the purpose and intent of the Planned development zoning district or the Comprehensive Plan. The proposed amendment of the signage requirements as recommended by staff, and of the other PD conditions as recommend both by staff and the applicant, are consistent with the Comprehensive Plan and with the objectives of the Planned development (PD) district, and with the purpose of City's sign ordinance.

2. Concurrency

There will be no impact on concurrency because the proposed PD amendment does not change the uses or the amount of development allowed within the University Towne Center PD.

3. Internal and External Compatibility

The proposed PD amendment does not change the uses or the amount of development allowed within the University Towne Center PD.

4. Intensity of Development

The proposed PD amendment does not affect the development intensity of this planned development that was approved by Alachua County in 1999 prior to annexation in 2002 into the City of Gainesville.

5. Useable Open Spaces, Plazas and Recreation Areas

The proposed PD amendment does not impact the existing PD Layout Map that was approved by Alachua County by Resolution Z-99-48 on October 12, 1999 (except for the PD conditions that are replicated on it). The PD Layout Map does not include useable open spaces, plazas or recreation areas.

6. Environmental Constraints

There are no environmental constraints that pertain to the proposed PD amendment.

7. Internal and External Transportation Access

The internal and external transportation access for this PD development will not change as a result of the proposed PD amendment.

8. Provision for the Range of Transportation Choices

The proposed PD amendment pertains primarily to signage, and it will have no impact upon the range of transportation choices for the University Towne Centre PD.

Impact on Affordable Housing

This proposed text amendment for this non-residential PD will have no impact on the supply of affordable housing in Gainesville.

Respectfully submitted,



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Prepared by:



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Lead Planner

Table 1

Adjacent Existing Uses

North	Undeveloped and wooded; Old Archer Road
South	Retail (beauty supply store); multiple-family developments (Rocky Point; Alachua County Housing Authority)
East	Private street; undeveloped and wooded; multiple-family developments (Gainesville Place; Rocky Point)
West	SW 34 th Street (6-lane arterial roadway); Old Archer Road

Adjacent Zoning and Land Use

	Land Use Category	Zoning Category
North	Commercial; Old Archer Road	General business district (BUS); Old Archer Road
South	Commercial; Residential Medium-Density (8-30 units per acre)	General business district (BUS); RMF-8: 8-30 units/acre multiple-family residential district
East	Residential Medium-Density (8-30 units per acre); Mixed-Use Low-Intensity (8-30 units per acre)	Planned development district PD); RMF-8: 8-30 units/acre multiple-family residential district
West	SW 34 th Street (SR 121, 6-lane arterial roadway)	SW 34 th Street (SR 121, 6-lane arterial roadway)

List of Appendices

Appendix A PD Amendment

- Exhibit A-1 Proposed PD Amendment as recommended by Staff
- Exhibit A-2 Map - University Towne Center PD – Special PD Directional Signs

Appendix B Supplemental Documents

- Exhibit B-1 Aerial Photograph
- Exhibit B-2 LDC Sec. 30-221 – Planned development district. Purpose and intent
- Exhibit B-3 LDC Sec. 30-224 - Amendments to approved planned development
- Exhibit B-4 LDC Sect. 30-315 – Sign regulations. Purpose and objectives
- Exhibit B-5 Signage Regulation Comparison (memorandum from applicant)
- Exhibit B-6 Resolution Z-88-48

Appendix C Application and Neighborhood Workshop information

- Exhibit C-1 University Towne Center Planned Development (PD) Rezoning Application