

**TO:** City Plan Board

**Item Number:** 2

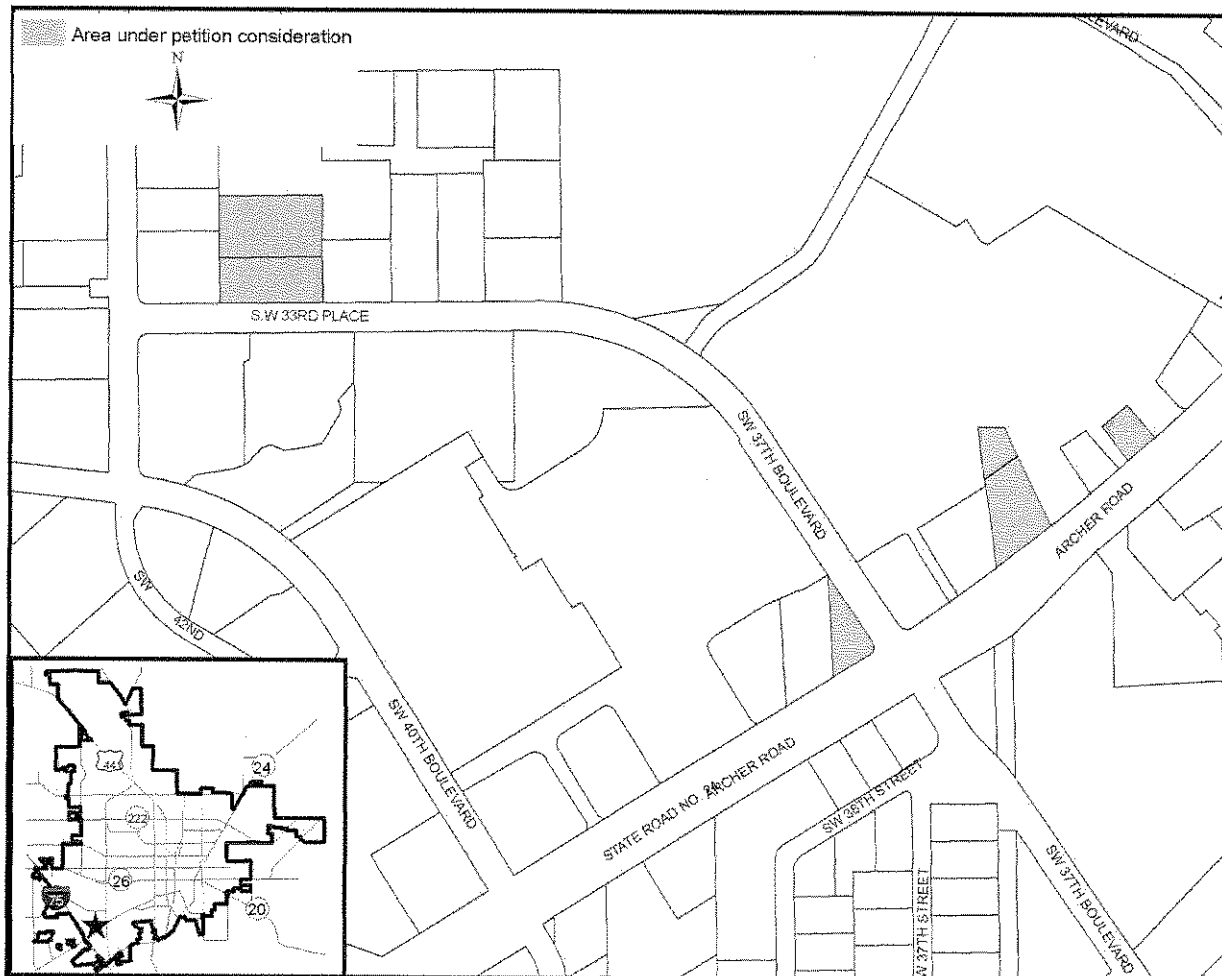
**FROM:** Planning & Development Services Department  
 Staff

**DATE:** Feb. 19, 2013

**SUBJECT:** Petition PB-12-149 LUC. Causseaux, Hewett and Walpole, Inc., agent for Mary Jane Fredrickson, Trustee et al. Amend the City of Gainesville Future Land Use Map from Commercial (C) and Business Industrial (BI) to Planned Use District (PUD). Located at 3654, 3730 & 3820 SW Archer Road and 3310 & 3318 SW 40th Terrace. Related to PB-12-148 CPA & PB-12-150 PDV.

### Recommendation

Staff recommends approval of Petition PB-12-149 LUC.



## **Description**

This petition requests a small scale amendment to the future land use map from the Commercial and Business Industrial land use categories to Planned Use District (PUD). The property to be amended includes six small parcels that total approximately 3.2 acres in size. The two parcels with the Business Industrial land use category are located on the north side of SW 33<sup>rd</sup> Place, at the western edge of the existing PUD. These properties total approximately 1.85 acres and are currently developed with one single-family house. The other four properties are outparcels located along Archer Road and have a Commercial land use designation. Three of these outparcels are developed with commercial uses, and one is developed as a surface parking lot. Under the related Comprehensive Plan Amendment to the Future Land Use Element Policy 4.3.6 (Petition PB-12-148 CPA), the associated future land use maps (Butler Development Underlying Land Use and Butler Development PUD) will be amended to include these parcels. With the related Planned Development Zoning (Petition PB-12-150 PDV), the zoning of these properties would be changed from BI (Business industrial district) and the BUS (General business district) to PD (Planned development district). The map on the previous page shows the locations of the subject parcels. Several other maps attached to this report as Appendix A show the existing, proposed, and underlying land use categories assigned to these properties and the surrounding properties. Under the proposed amendment, the existing land use categories of Commercial and Business Industrial will remain as the underlying land use to the PUD.

The PUD land use category may be applied on any specific property in the City. The category was created to allow the consideration of unique, innovative or narrowly construed land use proposals that are specifically found to be compatible with the character of the surrounding land uses. The district allows for a mix of residential and non-residential uses and/or unique design features which may not otherwise be allowed in the underlying land use category. Planned Development (PD) zoning is required to implement any development plan under a PUD.

## **Existing Conditions**

The six parcels have been acquired by Butler Enterprises and are contiguous to the Butler Plaza Planned Development. This land use petition is requested to add these parcels into the Butler Plaza project boundary area. The addition of these parcels into the Butler Plaza development is not expected to alter the land use mix, density, projected trip generation or the major street network because they will not serve as separate development sites within the PUD. The related petition PB-12-148 CPA limits the overall PUD development and no additional square footage is being proposed. The inclusion of the two parcels north of SW 33<sup>rd</sup> Place will allow for a larger contiguous area for development of a proposed large-scale retail use at that location. Including the parcels along Archer Road will allow for more consistent planning, design and redevelopment of the commercial areas located along the frontage of the existing Butler Plaza shopping centers.

To the west of the two parcels near SW 33<sup>rd</sup> Place are office and light industrial uses with BI land use and zoning designations. On the south side of the street across from those parcels are two hotels with BI land use and zoning. To the north and east are vacant properties that are part of the existing Butler Plaza PUD with PD zoning. The four parcels along Archer Road are

adjacent to other existing commercial uses that are already part of the PUD and PD. The Existing Land Use Map in Appendix A shows the existing land use categories in the area.

The existing 'Butler Plaza' Planned Use District is located generally on the north side of Archer Road and to the west of SW 34th Street. The total acreage will increase by approximately 3.2 acres with the addition of the subject parcels. The Butler Plaza property extends all the way north to the newly constructed SW 24th Avenue and in one location reaches all the way to Interstate 75 to the west. The existing Butler Plaza shopping plazas and outparcels along Archer Road have developed over the last 30 years and now contain over 1 million square feet of commercial retail uses. This existing development in its entirety is referred to simply as Butler Plaza, and is accessed by a series of streets and private drives that connect from Archer Road northward to Windmeadows Boulevard.

### **Basis for Recommendation**

The staff recommendation is based on the factors stated in the Future Land Use Element and on State statute criteria, which are discussed below: Consistency with the Comprehensive Plan; Compatibility and surrounding land uses; Environmental impacts and constraints; Support for urban infill and/or redevelopment; Impacts on Affordable Housing; Impacts on the transportation system; Availability of facilities and services; and Need for the additional acreage.

#### **1. Consistency with the Comprehensive Plan**

The proposed PUD land use amendment is consistent with the City's Comprehensive Plan. Policy 4.1.1 of the Future Land Use Element describes the features necessary for PUD designation, and states that "The category is created to allow the consideration of unique, innovative or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the surrounding land uses and environmental conditions of the subject land." This district is intended to allow "a mix of residential and non-residential uses and/or unique design features which might otherwise not be allowed in the underlying land use category." The entire PUD category description in Policy 4.1.1 is provided in Appendix B.

This specific proposal adds additional acreage to the existing Butler Plaza PUD. The proposal is unique in that it will allow for these areas to be redeveloped with a consistent vision, and will provide some additional flexibility for the PUD layout in terms of the location of proposed buildings and streets. This amendment is consistent with Future Land Use Element Objective 2.1, which encourages the improvement of underutilized property into vibrant urban areas. The specific land use regulations and design requirements are included with the associated Comprehensive Plan Text Amendment (PB-12-148 CPA), and further analysis of the consistency of the entire PUD with the Comprehensive Plan can be found in that staff report, as well as in the Causseaux, Hewett and Walpole Justification Report for this land use amendment (Appendix D).

#### **2. Compatibility and surrounding land uses**

This petition requests a land use of PUD, which matches the land use designation on most of the adjacent properties. Other nearby properties which are located outside of the Butler Plaza PUD have Commercial or Business Industrial land use designations, and are developed with office or

commercial uses that would be consistent with the development proposed within the PUD. The subject parcels north of SW 33<sup>rd</sup> Place are currently developed with a non-conforming single-family dwelling. Incorporating those parcels within the Butler Plaza PUD will encourage the redevelopment of this property, increasing compatibility with the other existing or proposed development in the area.

### **3. Environmental impacts and constraints**

Four of the subject parcels are currently developed with commercial buildings or parking, one is developed with a single-family dwelling unit, and one is vacant. The City's Environmental Coordinator has determined that these properties do not contain significant environmental or archaeological resources and are exempt from the City's Natural and Archaeological Resources protection regulations.

### **4. Infill and redevelopment**

The requested land use category will allow for the incorporation of these six parcels into the Butler Plaza PUD, which will create a more contiguous development and enhance the redevelopment and infill opportunities for the project.

### **5. Impacts on affordable housing**

This land use amendment does not involve property with a residential land use or zoning designation. It will not increase the number of allowed units within the overall Butler Plaza PUD. As a result there is no anticipated impact on the provision of affordable housing.

### **6. Impacts on the transportation system**

This land use amendment does not propose to increase the allowed square footages or the number of residential units within the existing Butler Plaza PUD. The PUD further limits the maximum trip generation and there is no proposal to increase that limitation. The subject parcels will simply be grouped with the rest of the PUD property in order to provide for a more cohesive development. The properties are all located within Zone M of the City's Transportation Concurrency Exception Area (TCEA). This is the multimodal TCEA zone, with policies and standards for mitigation that recognize that congestion in the area will not be solved through the traditional approach of monitoring and restricting roadway level of service. The mix of congestion solutions in Zone M includes alternative roadway construction in the form of reliever roads for congested segments, bus rapid transit and transit transfer stations, additional pedestrian facilities, park and ride facilities and smart bus bay facilities. These types of measures are all included as part of the PUD requirements in Future Land Use Element Policy 4.3.6.

There will also be operational and safety impacts related to the Butler Plaza development. Additional trips generated by the development can be expected to affect the operation of the roadways around the development, and therefore development within Butler Plaza will be required to make site-related operational and safety modifications to decrease the impacts on roadway facilities. Traffic associated with the new development in the PUD is expected to have a regional component, particularly for the destination retail uses. Comprehensive Plan Policy 4.3.6 which regulates the Butler PUD includes policies related to mitigating the regional transportation impacts. A more comprehensive analysis of the transportation impacts from the

Butler Plaza PUD is included with the staff reports for the Comprehensive Plan Text Amendment (PB-12-148 CPA).

**7. Availability of facilities and services**

Since the addition of the subject parcels to the Butler Plaza will not increase the allowed square footage or number of residential dwelling units, the proposed amendment will not adversely impact adopted levels of service for potable water, wastewater, solid waste, and recreation. Stormwater management will be addressed at the time of development plan review. The parcels are all served by existing roads, potable water, wastewater, solid waste and transit facilities. There is no increase in residential units so there will be no impact on the public school system.

**8. Need for additional acreage in the proposed future land use category**

The subject parcels were acquired by the owners of the Butler Plaza development to provide for a larger area for the development of a large-scale retail use north of SW 33<sup>rd</sup> Place, and to allow for more consistent planning and design of the outparcels along SW Archer Road.

**9. Conditions**

The subject property to be included within the Butler Plaza PUD area will be governed by the conditions of Ordinance 090537, which established the land use categories and created Policy 4.3.6 of the Future Land Use Element for the Butler Plaza PUD. Prior to the City Commission hearing, staff recommends that the Justification Report prepared by the applicant be updated to reflect staff comments.

Respectfully submitted,



Ralph Hilliard  
Planning Manager

Prepared by:

  
Scott Wright

**List of Appendices**

**Appendix A Map Series:**

- A-1 Aerial Map
- A-2 Existing Land Use Map
- A-3 Proposed Land Use Map
- A-4 Underlying Land Use Map

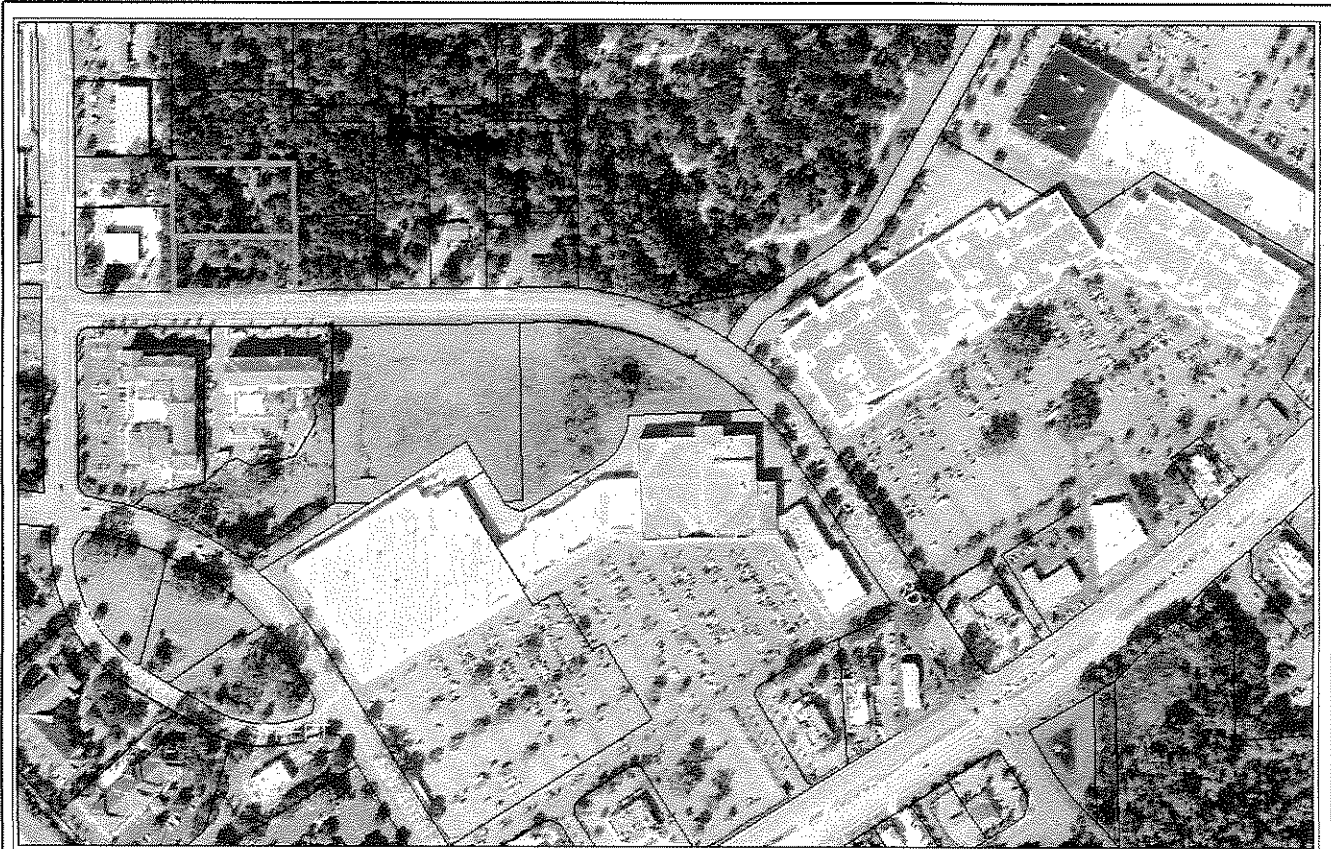
**Appendix B Comprehensive Plan GOPs**

**Appendix C Application and Supplemental Documents**


**Appendix D Causseaux, Hewett and Walpole Justification Report**

**Appendix A Map Series**

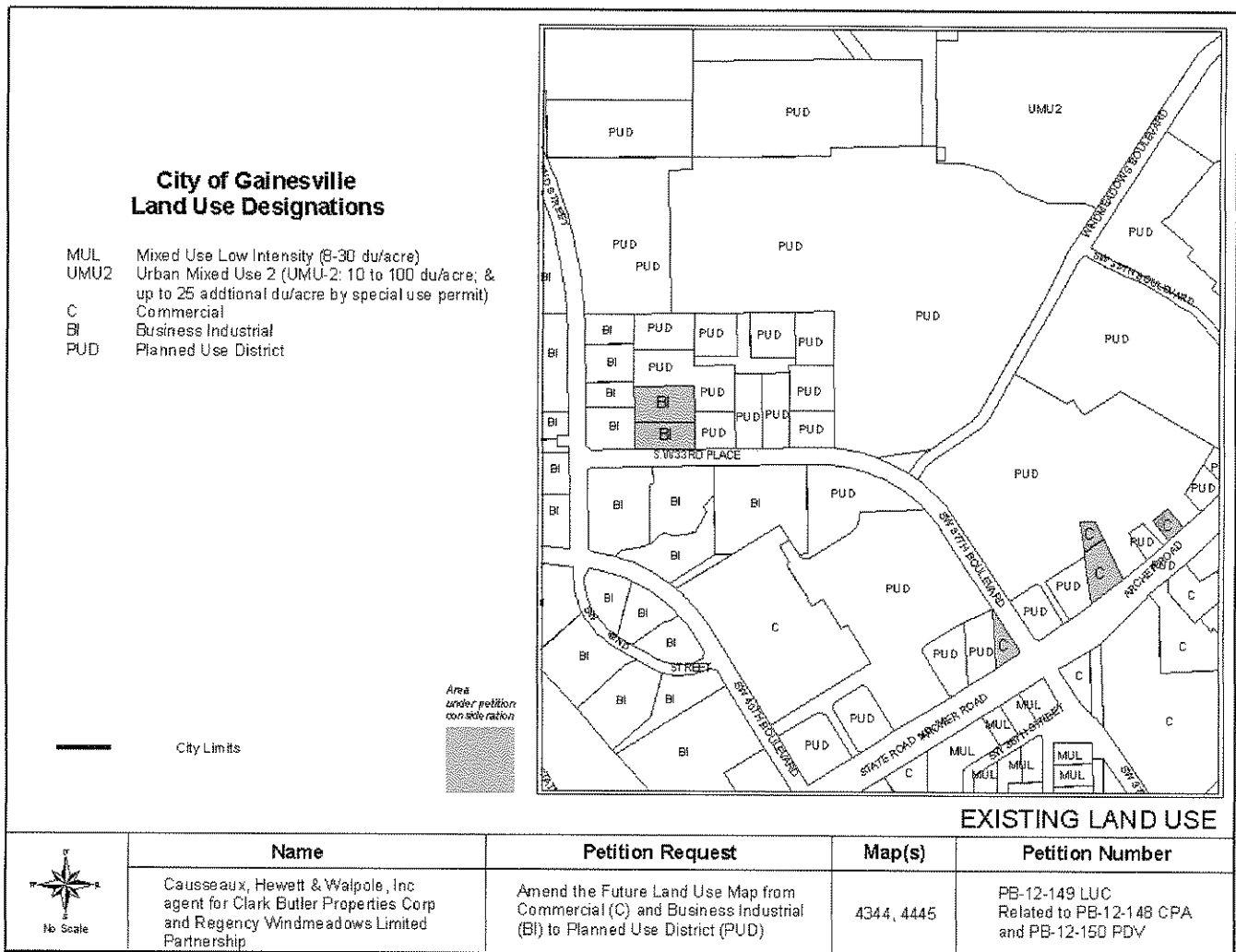
Appendix A-1 - Aerial Map



AERIAL PHOTOGRAPH

 No Scale	Name	Petition Request	Map(s)	Petition Number
	Causseaux, Hewett & Walpole, Inc agent for Clark Butler Properties Corp and Regency Windmeadows Limited Partnership	Amend the Future Land Use Map from Commercial (C) and Business Industrial (BI) to Planned Use District (PUD)	4344, 4445	PB-12-149 LUC Related to PB-12-148 CPA and PB-12-150 PDV

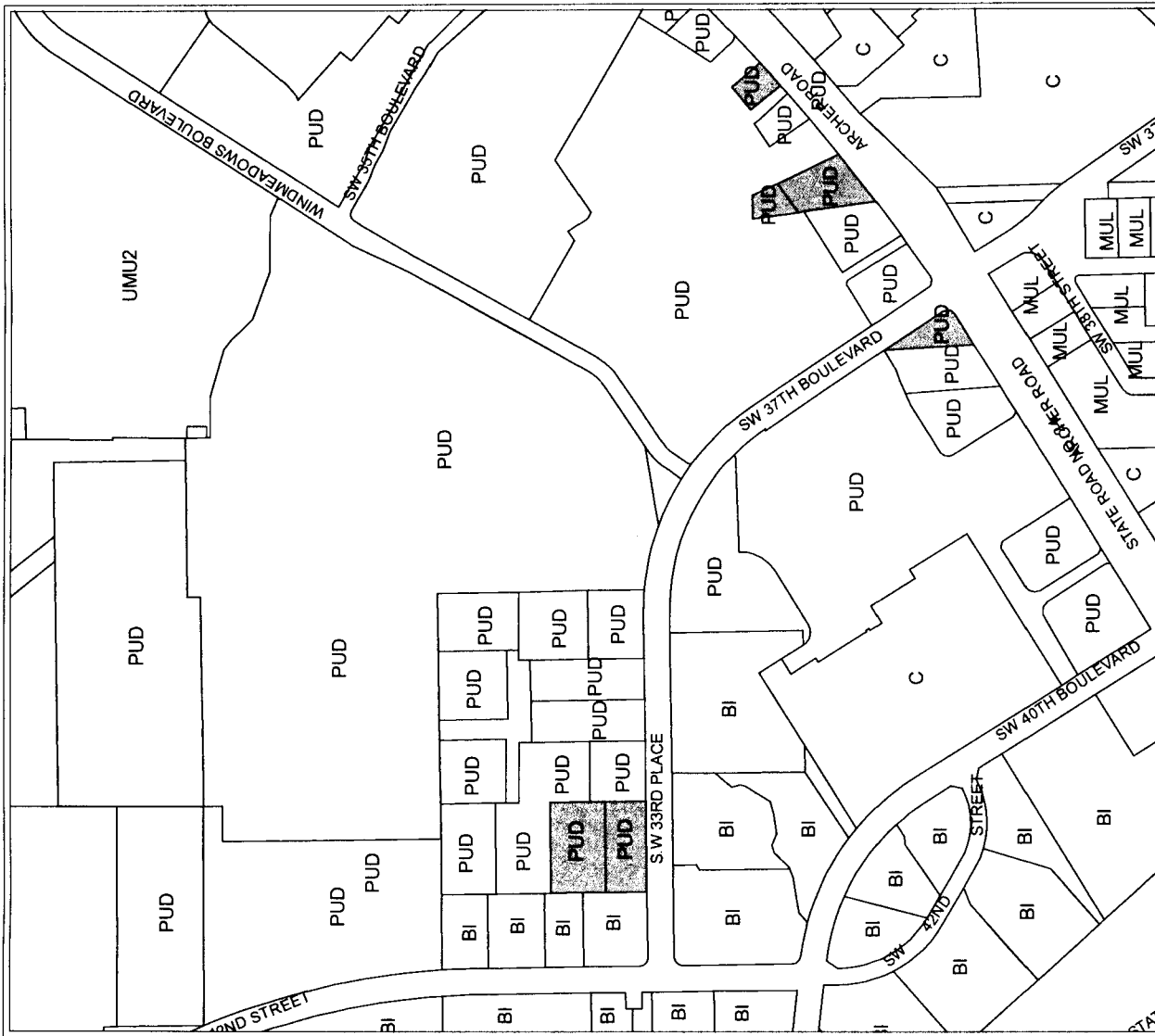
Appendix A-2 - Existing Land Use Map





### City of Gainesville Land Use Designations

- MUL Mixed Use Low Intensity (8-30 du/acre)
- UMU2 Urban Mixed Use 2 (UMU-2: 10 to 100 du/acre; & up to 25 additional du/acre by special use permit)
- C Commercial
- BI Business Industrial
- PUD Planned Use District



Area under petition consideration

City Limits

### PROPOSED LAND USE

Name	Petition Request	Map(s)	Petition Number
Causseaux, Hewett & Walpole, Inc agent for Clark Butler Properties Corp and Regency Windmeadows Limited Partnership	Amend the Future Land Use Map from Commercial (C) and Business Industrial (BI) to Planned Use District (PUD)	4344, 4445	PB-12-149 LUC Related to PB-12-148 CPA and PB-12-150 PDV



No Scale

Appendix A-4 - Underlying Land Use Map



## **Appendix B Comprehensive Plan GOPs**

### **Future Land Use Element**

**Objective 2.1** Redevelopment should be encouraged to promote compact, vibrant urbanism, improve the condition of blighted areas, discourage urban sprawl, and foster compact development patterns that promote transportation choice.

**Policy 4.1.1** Land Use Categories on the Future Land Use Map shall be defined as follows:

#### **Planned Use District**

This category is an overlay land use district which may be applied on any specific property in the City. The land use regulations pertaining to this overlay district shall be adopted by ordinance in conjunction with an amendment to the Future Land Use Map of this comprehensive plan. The category is created to allow the consideration of unique, innovative or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the surrounding land uses and environmental conditions of the subject land. This district allows a mix of residential and non-residential uses and/or unique design features which might otherwise not be allowed in the underlying land use category. This category shall allow traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance. Each adopting PUD overlay land use designation shall address density and intensity, permitted uses, access by car, foot, bicycle, and transit, trip generation and trip capture, environmental features and, when necessary, buffering of adjacent uses. Planned Development zoning shall be required to implement any specific development plan under a PUD. In the event that the overlay district has been applied to a site and no planned development zoning has found approval by action of the City Commission within 18 months of the land use designation, the overlay land use district shall be deemed null and void and the overlay land use category shall be removed from the Future Land Use Map, leaving the original and underlying land use in place.

RECEIVED  
NOV 14 2012  
PLANNING DIVISION

**APPLICATION—CITY PLAN BOARD**  
*Planning & Development Services*

OFFICE USE ONLY	
Petition No. <u>PB-12-149</u>	Fee: \$ <u>1575.00</u>
1 <sup>st</sup> Step Mtg Date: _____	EZ Fee: \$ _____
Tax Map No. _____	Receipt No. _____
Account No. 001-660-6680-3401 <input checked="" type="checkbox"/>	
Account No. 001-660-6680-1124 (Enterprise Zone) <input type="checkbox"/>	
Account No. 001-660-6680-1125 (Enterprise Zone Credit) <input type="checkbox"/>	

Owner(s) of Record (please print)
Name: Mary Jane Fredrickson, Trustee
Address: Attn: Deborah J. Butler 2306 SW 13th Street, Ste. 1206 Gainesville, FL 32608
Phone: (352) 372-3581 Fax: (352) 335-4711
(Additional owners may be listed at end of applic.)

Applicant(s)/Agent(s), if different
Name: Causseaux, Hewett, & Walpole, Inc.
Address: 132 NW 76th Drive Gainesville, FL 32607
Phone: (352) 331-1976 Fax: (352) 331-2476

*Note: It is recommended that anyone intending to file a petition for amendments to the future land use map or zoning map atlas, meet with the Department of Community Development prior to filing the petition in order to discuss the proposed amendment and petition process. Failure to answer all questions will result in the application being returned to the applicant.*

**REQUEST**

Check applicable request(s) below:


Future Land Use Map <input checked="" type="checkbox"/>	Zoning Map <input type="checkbox"/>	Master Flood Control Map <input type="checkbox"/>
Present designation: C, BI	Present designation:	Other <input type="checkbox"/> Specify:
Requested designation: PUD	Requested designation:	

**INFORMATION ON PROPERTY**

1. Street address: 3654, 3730 & 3820 SW Archer Rd.; 3310 & 3318 SW 40th Terr.
2. Map no(s): -
3. Tax parcel no(s): 06801-006-000, 06801-007-000, 06803-001-000, 06803-001-001, 06803-004-000
4. Size of property: <u>2.95</u> acre(s)

*All requests for a land use or zoning change for property of less than 3 acres are encouraged to submit a market analysis or assessment, at a minimum, justifying the need for the use and the population to be served. All proposals for property of 3 acres or more must be accompanied by a market analysis report.*

**Certified Cashier's Receipt:**

NOV 14 2012  
  
CHK# 19738

5. Legal description (attach as separate document, using the following guidelines):
- a. Submit on 8 ½ x 11 in. sheet of paper, separate from any other information.
  - b. May not be included as part of a Purchase Agreement, Contract for Sale, Lease Agreement, Transfer of Title, Warranty Deed, Notice of Ad Valorem Taxes, Print-outs from Property Appraiser’s Office, etc.
  - c. Must correctly describe the property being submitted for the petition.
  - d. Must fully describe directions, distances and angles. Examples are: North 20 deg. West 340 feet (not abbreviated as N 20 deg. W 340’); Right-of-Way (not abbreviated as R/W); Plat Book (not abbreviated as PB); Official Records Book 1, page 32 (not abbreviated as OR 1/32); Section 1, Township 9 South, Range 20 East (not abbreviated as S1-T9S-R20E).

6. **INFORMATION CONCERNING ALL REQUESTS FOR LAND USE AND/OR ZONING CHANGES (NOTE: All development associated with rezonings and/or land use changes must meet adopted level of service standards and is subject to applicable concurrency requirements.)**

A. What are the existing surrounding land uses?

North

See Justification Report for maps and explanation

South

See Justification Report for maps and explanation

East

See Justification Report for maps and explanation

West

See Justification Report for maps and explanation

B. Are there other properties or vacant buildings within ½ mile of the site that have the proper land use and/or zoning for your intended use of this site?

NO  X

YES \_\_\_\_ If yes, please explain why the other properties cannot accommodate the proposed use?

C. If the request involves nonresidential development adjacent to existing or future residential, what are the impacts of the proposed use of the property on the following:

Residential streets

See Justification Report for explanation

Noise and lighting

See Justification Report for explanation

D. Will the proposed use of the property be impacted by any creeks, lakes, wetlands, native vegetation, greenways, floodplains, or other environmental factors or by property adjacent to the subject property?

NO  YES  (If yes, please explain below)

Parcel 06803-001-000 contains FEMA floodplain. The site is currently developed with a ±12,987 sq. ft. building. A development plan has been submitted for redevelopment of the site. Development will be consistent with St. Johns River Water Management District requirements and the City of Gainesville Land Development Code standards.

E. Does this request involve either or both of the following?

a. Property in a historic district or property containing historic structures?

NO  YES

b. Property with archaeological resources deemed significant by the State?

NO  YES

F. Which of the following best describes the type of development pattern your development will promote? (please explain the impact of the proposed change on the community):

Redevelopment <input checked="" type="checkbox"/>	Urban Infill <input checked="" type="checkbox"/>
Activity Center <input type="checkbox"/>	Urban Fringe <input type="checkbox"/>
Strip Commercial <input type="checkbox"/>	Traditional Neighborhood <input type="checkbox"/>

Explanation of how the proposed development will contribute to the community.

See Justification Report for explanation

G. What are the potential long-term economic benefits (wages, jobs & tax base)?

See Justification Report for explanation

H. What impact will the proposed change have on level of service standards?

Roadways

See Justification Report for explanation

Recreation

See Justification Report for explanation

Water and Wastewater

See Justification Report for explanation

Solid Waste

See Justification Report for explanation

Mass Transit

See Justification Report for explanation

I. Is the location of the proposed site accessible by transit, bikeways or pedestrian facilities?

NO

YES  (please explain)

See Justification Report for explanation

CERTIFICATION

The undersigned has read the above application and is familiar with the information submitted. It is agreed and understood that the undersigned will be held responsible for its accuracy. The undersigned hereby attests to the fact that the parcel number(s) and legal description(s) shown in questions 3 and 5 is/are the true and proper identification of the area for which the petition is being submitted. Signatures of all owners or their agent are required on this form. Signatures by other than the owner(s) will be accepted only with notarized proof of authorization by the owner(s).

Owner of Record	
Name:	Robert E. Stanley, Trustee
Address:	Stanley, Esry, & Buckley, LLP 1230 Peachtree Street, NE Atlanta, GA 30309
Phone:	(404) 835-6200 Fax: (404) 835-6221
Signature:	Agent will sign

Owner of Record	
Name:	
Address:	
Phone:	Fax:
Signature:	

Owner of Record	
Name:	
Address:	
Phone:	Fax:
Signature:	

Owner of Record	
Name:	
Address:	
Phone:	Fax:
Signature:	

No person submitting an application may rely upon any comment concerning a proposed amendment, or any expression of any nature about the proposal made by any participant, at the pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form.

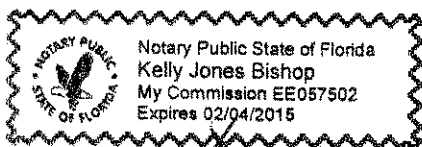
To meet with staff to discuss the proposal, please call (352) 334-5022 or 334-5023 for an appointment.

Gerry Dedenbach  
Owner/Agent Signature

11-12-2012  
Date

STATE OF FLORIDA  
COUNTY OF Alachua

Sworn to and subscribed before me this 12<sup>th</sup> day of November 2012 by (Name)  
Gerry Dedenbach



Kelly Jones Bishop  
Signature Notary Public

Personally Known  OR Produced Identification  (Type)





**Butler**  
ENTERPRISES

2306 SW 13 Street  
Suite 1206  
Gainesville, FL 32608

P.O. Box 141105  
Gainesville, FL 32614

352/372-3581  
352/335-4711 fax

August 16, 2012

Eric Bredfeldt, Planning and Development Director  
Scott A. Wright, Senior Planner  
City of Gainesville  
Planning Department  
306 NE 6th Avenue  
Thomas Center B  
Gainesville, Florida 32601

Re: Letter of Authorization

Dear Mr. Bredfeldt and Mr. Wright:

I am the trustee of S. Clark Butler Properties Land Trust agreement dated December 10, 1998. I am writing to confirm that Gerry Dedenbach of Causseaux, Hewett & Walpole, Inc. is my agent to represent me for the continuing Comprehensive Plan, PUD, and PD Amendments on tax parcels:

6810-001-000	6810-001-021	6810-003-003	6798-003-000	6810-006-000
6810-001-009	6810-001-022	6803-001-000	6798-004-000	6810-008-000
6810-001-011	6810-001-023	6803-001-001	6798-006-000	6816-003-001
6810-001-016	6810-001-025	6810-002-000	6803-004-000	6816-005-001
6810-001-017	6800-008-000	6810-002-003	6810-001-002	6827-000-000
6810-001-018	6810-003-000	6795-000-000	6810-001-003	6827-002-000
6810-001-019	6810-003-001	6798-001-000	6810-002-001	6810-001-013
6810-001-020	6810-003-002	6798-002-000	6810-005-000	

which are owned by this Land Trust.

Sincerely,

S. Clark Butler Properties Land Trust  
Agreement Dated 12/10/98

Mary Jane Frederickson, Trustee

State of Florida

County of Palm Beach

Sworn to and subscribed before me this 20<sup>th</sup> day of August, 2012 by Mary Jane Frederickson who is personally known to me or who presented \_\_\_\_\_ as ID and who did \_\_\_ or did not \_\_\_ take an oath.

  
Signature of Notary Public

NOTARY PUBLIC  
MYRNA F. KASEMEYER  
MY COMMISSION # DD 978326  
EXPIRES: June 1, 2014  
Bonded Thru Gudget Notary Services



August 16, 2012

Eric Bredfeldt, Planning and Development Director  
Scott A. Wright, Senior Planner  
City of Gainesville  
Planning Department  
306 NE 6th Avenue  
Thomas Center B  
Gainesville, Florida 32601

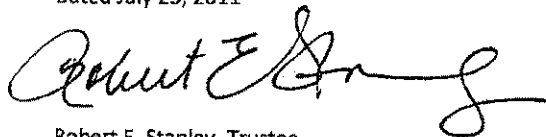
Re: Letter of Authorization

Dear Mr. Bredfeldt and Mr. Wright:

I am the trustee of Castleton Holdings Land Trust dated July 25, 2011. I am writing to confirm that Gerry Dedenbach of Causseaux, Hewett & Walpole, Inc. is my agent to represent me for the continuing Comprehensive Plan, PUD, and PD Amendments on tax parcels 6801-006-000 and 6801-007-000, which are owned by this Land Trust.

Sincerely,

Castleton Holdings Land Trust  
Dated July 25, 2011


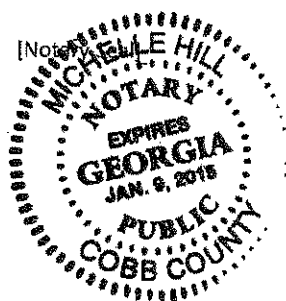


Robert E. Stanley, Trustee

State of Georgia

County of Fulton

Sworn to and subscribed before me this 17<sup>th</sup> day of August, 2012 by Robert E. Stanley who is personally known to me or who presented \_\_\_\_\_ as ID and who did  or did not \_\_\_ take an oath.

  
Signature of Notary Public

## Butler Enterprises PUD Small-scale Comprehensive Plan Amendment

### Legal Descriptions

#### Tax Parcel 06801-006-000

Commence at the Southeast corner of the Southwest quarter of the Northwest Quarter (SW ¼ of NW ¼) of Section 14, Township 10 South, Range 19 East, Alachua County, Florida; thence run West 270.57 feet; thence run North 166.65 feet; thence run East 270.46 feet; thence run South 166.65 feet to the point of beginning. The same being parcel number four (4) of an unrecorded survey made by the Perry C. McGriff Company, Inc., Surveyors of Gainesville, Florida, and dated January 6, 1965.

LESS AND EXCEPT a parcel of land situated in Section 14, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

For a Point of Reference commence at the Northwest corner of the Southwest quarter of said Section 14; thence run along the North line of the South half of said Section 14 North 89°11'20" East, a distance of 1,055.32 feet to the POINT OF BEGINNING; thence run North 01°16'40" West, a distance of 40.00 feet; then run North 89°11'20" East, a distance of 270.39 feet; thence run South 01°16'40" East, a distance of 40.00 feet to the aforesaid North line of the South half of said Section 14; thence run along said North line South 89°11'20" West, a distance of 270.39 feet to the POINT OF BEGINNING. Containing 0.248 acres, (or 10,802.21 square feet), more or less. (Source: Official Records Book 4051 Page 1415)

#### Tax Parcel 06801-007-000

Commence at the Southeast corner of the Southeast One-Quarter of the Southwest One-Quarter (SE ¼ of the SW ¼) of the Northwest One-Quarter (NW ¼) of Section 14, Township 10 South, Range 19 East, and run North a distance of 166.65 feet to the Point of Beginning; thence run North 166.65 feet; thence run West 270.34 feet; then run South 166.65 feet; thence run East 270.46 feet to the Point of Beginning, said tract of land also known as Parcel #3 of unrecorded survey prepared by Perry C. McGriff on January 6, 1965.

(Source: Official Records Book 4079 Page 1520)

#### Tax Parcels 06803-001-000 and 06803-001-001

Commence at the Northwest corner of the Southeast Quarter of Section 14, Township 10 South, Range 19 East, and run South 305 feet; thence run East 427 feet to the Point of Beginning; thence run South 6 degrees 52 minutes East 381.2 feet to the North right-of-way line of State Highway Number 24; thence run Northeasterly along said Highway 185 feet; thence run North 24 degrees 35 minutes West 294.2 feet; thence run West 73 feet to the Point of Beginning, being more accurately described as follows:

Commence at the Northwest corner of the Southeast quarter of Section 14, Township 10 South, Range 19 East and run South 305 feet; thence East 427 feet to the Point of Beginning; thence run South 06° 52' 00" East, 381.20 feet to the North right-of-way line of State Road No. 24; thence run Northeasterly along said right-of-way line with a curve concave Northwesterly, said curve having central angle of 01° 52' 50", a radius of 5679.58 feet, an arc length of 186.42 feet and a chord bearing and distance of North 53° 28' 53" East 186.42 feet to the Southwest corner of that parcel as described in Deed Book 261, Page 469, at the Public Records of Alachua County, Florida, thence run North 24° 35' 00" West, along the West line of said parcel 294.20 feet to the Northwest corner thereof; thence run West 73.00 feet to the Point of Beginning.

ALSO DESCRIBED AS FOLLOWS:

PARCEL A:

A parcel of land lying in Section 14, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

For a point of reference commence at the Northwest corner of the Southeast Quarter (SE ¼) of said Section 14 and run South 305.00 feet; thence run East 427.00 feet, thence run South 06° 52' 00" East, a distance of 141.89 feet to the Point of Beginning; thence continue South 06° 52' 00" East, a distance of 240.00 feet to a point on the North right of way line of State Road No. 24 and lying on a curve concave Northwesterly and having a radius of 5679.58 feet; thence run Northeasterly, along said right of way line and along the arc of said curve, through a central angle of 01° 52' 50", an arc distance of 186.42 feet and a chord bearing and distance of North 53° 16' 13" East, 186.41 feet; thence run North 24° 32' 41" West, departing from said right of way line, a distance of 212.93 feet; thence run South 53° 16' 13" West, a distance of 111.85 feet to the Point of Beginning.

PARCEL B:

A parcel of land lying in Section 14, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

For a point of reference commence at the Northwest corner of the Southeast Quarter (SE ¼) of said Section 14 and run South 305.00 feet; thence run East 427.00 feet to the Point of Beginning; thence run South 06° 52' 00" East, a distance of 141.89 feet; thence run North 53° 16' 13" East, a distance of 111.85 feet; thence run North 24° 32' 41" West, a distance of 80.90 feet; thence run North 89° 41' 27" West, a distance of 73.00 feet to the Point of Beginning.

(Source: Official Records Book 4023 Page 1231)

Tax Parcel 06803-004-000

A parcel of land situated in Section 14, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

For a point of reference commence at the Northwest corner of the Southwest ¼ of said Section 14; thence run along the North line of the South ½ of said Section 14, North 89° 11' 20" East, a distance of 2231.17 feet; thence run South 03° 05' 27" East, a distance of 309.08 feet; thence run North 89° 01' 23" East, a distance of 430.87 feet; thence run South 03° 35' 46" East, a distance of 397.97 feet to the Point of Beginning; thence run South 34° 00' 00" East, a distance of 216.99 feet to a Point of Curvature of a curve concave Northwesterly having a radius of 25 feet; thence run Southwesterly along the arc of said curve through a central angle of 91° 22' 02", an arc distance of 39.87 feet and a chord bearing and distance of South 11° 41' 01" West, 35.77 feet to a point of a compound curvature of a curve concave Northwesterly and having a radius of 5,679.58 feet, said point being situated on the Northwesterly right of way line of Archer Road (State Road No. 24); thence run Southwest along said right of way line along the arc of said curve through a central angle of 00° 36' 52", an arc distance of 60.90 feet and a chord bearing and distance of South 57° 40' 28" West, 60.90 feet; thence continue along said right of way South 57° 58' 54" West, a distance of 53.45 feet; thence run North 03° 35' 46" West, a distance of 276.37 feet to the Point of Beginning.

(Source: Official Records Book 4127 Page 596)

Tax Parcel 06810-002-002

A parcel of land situated in Section 14, Township 10 South, Range 19 East, Alachua County, Florida being more particularly described as follows:

For a point of reference commence at the Northwest corner of the south half (1/2) of said Section 14;

thence run North 89°11'20" East along the North line of said South half (1/2) and the centerline of Southwest 37<sup>th</sup> street, a distance of 1907.66 feet to the point of curvature of said centerline; thence continue North 89°11'20" East along the said North line of the South half (1/2), a distance of 323.50 feet to an iron pipe;

thence run North 80°19'37" East, a distance of 306.23 feet;

thence run North 56°00'00" East, a distance of 110.76 feet to the point of curvature of a curve concave Northwesterly and having a radius of 195.00 feet;

thence run Northeasterly along the arc of said curve through a central angle of 26°26'17", an arc distance of 89.98 feet and a chord bearing and distance of North 42°46'52" East, 89.18 feet;

thence run North 29°33'43" East, a distance of 233.35 feet;

thence run South 60°28'21" East, a distance of 279.60 feet;

thence run North 56°00'00" East, a distance of 33.90 feet;

thence run South 34°00'00" East, a distance of 68.08 feet;

thence run south 60°28'21" East, a distance of 22.33 feet;

thence run North 56°30'07" East, a distance of 194.00 feet;

thence run South 60°05'24" East, a distance of 677.48 feet to the Northwest right-of-way line of State Road No. 24 (Archer Road), and a point on a curve concave Northwesterly, and having a radius of 5679.58 feet;

thence run southwesterly, along said Northwest right-of-way line, and along the arc of said curve, through a central angle of 03°29'56", an arc distance of 346.84 feet, and a chord bearing and distance of South 45°09'45" West, 346.77 feet to the Point of Beginning;

thence continue along said Northwest right-of-way line and said arc, through a central angle of 00°09'43", and arc distance of 16.07 feet and a chord bearing and distance of South 46°59'35" West, 16.07 feet to the Northeast corner of that certain parcel as recorded in official records book 1257, Page 664, of the Public Records of Alachua County, Florida;

thence run south 89°14'28" West along the north line of said certain parcel, a distance of 107.41 feet;

thence run North 43°28'20" West, a distance of 47.82 feet;

thence run North 46°31'40" East, a distance of 30.86 feet;

thence run North 55°55'38" East, a distance of 65.00 feet;

thence run South 43°28'20" East, a distance of 110.20 feet to the Point of Beginning. Containing 8,248.92 square feet, more or less.

**Butler Development PUD**  
*Small-scale Comprehensive Plan Amendment*  
*Justification Report*

***Prepared for Submittal to:***  
The City of Gainesville, Florida

***Prepared on Behalf of:***  
Mary Jane Fredrickson, Trustee  
Robert E. Stanley, Trustee  
Thomas N. Brown, Trustee

***Prepared by:***



January 7, 2013

PN 12-0296

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**Executive Summary****Causseaux, Hewett, & Walpole, Inc.**

Engineering • Surveying • Planning

**To:** Mr. Erik Bredfeldt, AICP, Ph.D., Planning and Development Director #12-0296**From:** Gerry Dedenbach, AICP, LEED® AP, Director of Planning and GIS Services**Date:** January 7, 2013**Re:** Butler Development Planned Use District (PUD)  
Small-scale Comprehensive Plan Amendment (SsCPA) Application

<b>Jurisdiction:</b> City of Gainesville	<b>Intent of Development:</b> Mixed-Use Development
<b>Description of Location:</b> 3730, & 3820 SW Archer Road 3310 & 3318 SW 40 <sup>th</sup> Terrace	
<b>Parcel Numbers:</b> 06801-006-000, 06801-007-000, 06803-001-000, 06803-001-001, 06803-004-000, and 06810-002-002	<b>Acres:</b> ± 3.2 acres (Source: The Alachua County Property Appraiser)
<b>Current Future Land Use Classifications:</b> <i>Commercial (C) (±1.38 acres)</i> The Commercial land use category identifies those areas most appropriate for large scale highway-oriented commercial uses, and, when designed sensitively, residential uses. Intensity will be controlled by adopting height limits of 5 stories or less, requiring buildings to face the street, and modest build-to lines instead of a maximum floor area ratio; however, height may be increased to a maximum of 8 stories by special use permit. <i>Business Industrial (BI) (±1.82 acres)</i> This land use category is primarily intended to identify those areas near the Gainesville Regional Airport appropriate for office, business, commercial and industrial uses. This district is distinguished from other industrial and commercial districts in that it is designed specifically to allow only uses that are compatible with the airport. Intensity will be controlled by adopting land development regulations that establish height limits consistent with the Airport Hazard Zoning Regulations. When not located within an airport zone of influence, this category may be used to designate areas for office, business, commercial and industrial uses, with a maximum height of 5 stories, and a maximum floor area ratio of 4.0. Land development regulation(s) shall specify the type and distribution of uses, design criteria, landscaping, pedestrian and vehicular access.	
<b>Proposed Future Land Use Classification:</b> <i>Planned Use District (PUD) (±3.2 acres)</i> The Planned Use District category is an overlay land use district which may be applied on any specific property in the City. The land use regulations pertaining to this overlay district are established within the Comprehensive Plan Text Amendment to Future Land Use Policy 4.3.6. submitted concurrently with this SsCPA application.	
<b>Existing Maximum Density / Intensity</b> Business Industrial (±1.82 acres, Max. FAR 4.0): ±317,117 ft <sup>2</sup> Commercial (±1.38 acres, 40% Lot Coverage, 5 Stories Max. Height): ±120,225 ft <sup>2</sup>	



**Executive Summary****Causseaux, Hewett, & Walpole, Inc.**

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**Proposed Density/Intensity**

The currently approved Butler Development PUD entitlements will be extended to the ±3.2-acre project parcels. No increases to the existing Butler Development PUD entitlements are proposed as part of this application. The currently approved Butler Development PUD entitlements are as follows:

Commercial uses:	2,500,408 ft <sup>2</sup>
Office uses:	250,000 ft <sup>2</sup>
Hotel / Motel uses:	500 rooms
Residential uses:	1,000 units

**Net Change**

The existing maximum development potential of 437,342 ft<sup>2</sup> will be removed from the subject parcels and the existing Butler Development PUD entitlements will be extended to these properties. Therefore, the proposed amendment will reduce potential independent development by 437,342 ft<sup>2</sup> as it is drawn into the overall Butler Development PUD.

## STATEMENT OF PROPOSED CHANGE

As shown on *Figure 1: Aerial Map*, the ±3.2-acre project site is made up of six (6) tax parcels that are adjacent to the currently approved Butler Development Planned Use District (PUD). The proposed small-scale comprehensive plan amendment will allow the existing Butler Development PUD entitlements to be extended to these six (6) parcels. **No additional entitlements are being requested as part of this application.** The currently approved Butler Development PUD entitlements are as follows:

Commercial uses:	2,500,408 square feet
Office uses:	250,000 square feet
Hotel / Motel uses:	500 rooms
Residential uses:	1,000 units

The maximum cumulative development program for Butler Plaza (including existing development, redevelopment and development within all subareas) is also limited by the maximum trip generation which is not to exceed 37,591 average daily trips for all subareas. There are 12,224 average daily trips associated with the existing development; the owner may transfer up to 20% of those trips to the same use in another subarea. The planned development zoning ordinance for Butler Plaza (the “PD Zoning Ordinance”) shall include a land use equivalency matrix that shows use substitutions based on trip generation rates using ITE Trip Generation 8th Edition.



**Figure 1: Aerial Map**

This SsCPA application is submitted in conjunction with a comprehensive plan text amendment that amends Future Land Use Element Policy 4.3.6, which

relates specifically to the Butler Development PUD. The legal description referenced within the revised Policy 4.3.6 includes the project site parcels within the Butler Development PUD boundary. The SsCPA and text amendment applications are also submitted concurrently with a Butler Development Planned Development (PD) rezoning application.

The parcels that make up the project site currently contain commercial and residential structures. One vacant single-family residential structure is located across parcels 06801-006-000 and 06801-007-000. This residential structure will be demolished and replaced with a portion of Butler Development' approved development.

A vacant commercial building was previously located on tax parcels 06803-001-000 and 06803-001-001. A development plan has been submitted and approved for the redevelopment of these parcels. The proposed development will consist of a mix of commercial uses totaling  $\pm 10,700$  ft<sup>2</sup> in size. Demolition and construction on the new building has already begun.

Tax parcel 06803-004-000 is currently developed as an automotive repair shop and tax parcel 06810-002-002 is a parking lot for an adjacent commercial use. There are no immediate plans to redevelop these parcels or change the existing uses.

Table 1 identifies the Future Land Use (FLU) and zoning designations adjacent to the project site. All surrounding FLU and zoning designations and current uses are consistent with the approved Butler Development entitlements that will be extended to the project site parcels.

**Table 1: Surrounding Future Land Use and Zoning Designations**

Direction	Future Land Use Designation	Zoning Designation
North	Planned Use District (PUD)	Planned Development (PD)
East	Planned Use District (PUD)	Planned Development (PD)
South	Business Industrial (BI) Commercial (C) Mixed-Use Low Intensity (MUL)	Business Industrial (BI) General Business (BUS) Mixed-Use 1 (MU-1)
West	Planned Use District (PUD) Business Industrial (BI)	Planned Development (PD) Business Industrial (BI)

The surrounding FLU designations can be seen on *Figure 2: Existing Future Land Use Map*. Currently the project site has a Commercial FLU designation on  $\pm 1.38$  acres consisting of the parcels along Archer Road. The remaining  $\pm 1.82$  acres are designated as Business Industrial. As shown on *Figure 3: Proposed Future Land Use Map*, this SsCPA application will amend the Future Land Use Map by changing the FLU designations to PUD on the entire  $\pm 3.2$ -acre project site.

The project site parcels will then be included within the Butler Development PUD and subject to the requirements of Future Land Use Policy 4.3.6, which is being amended by a comprehensive plan text amendment submitted concurrently with

this application. No additional entitlements are being requested as part of this application. The currently approved Butler Development PUD entitlements will be extended to these six (6) parcels that make up the project site.

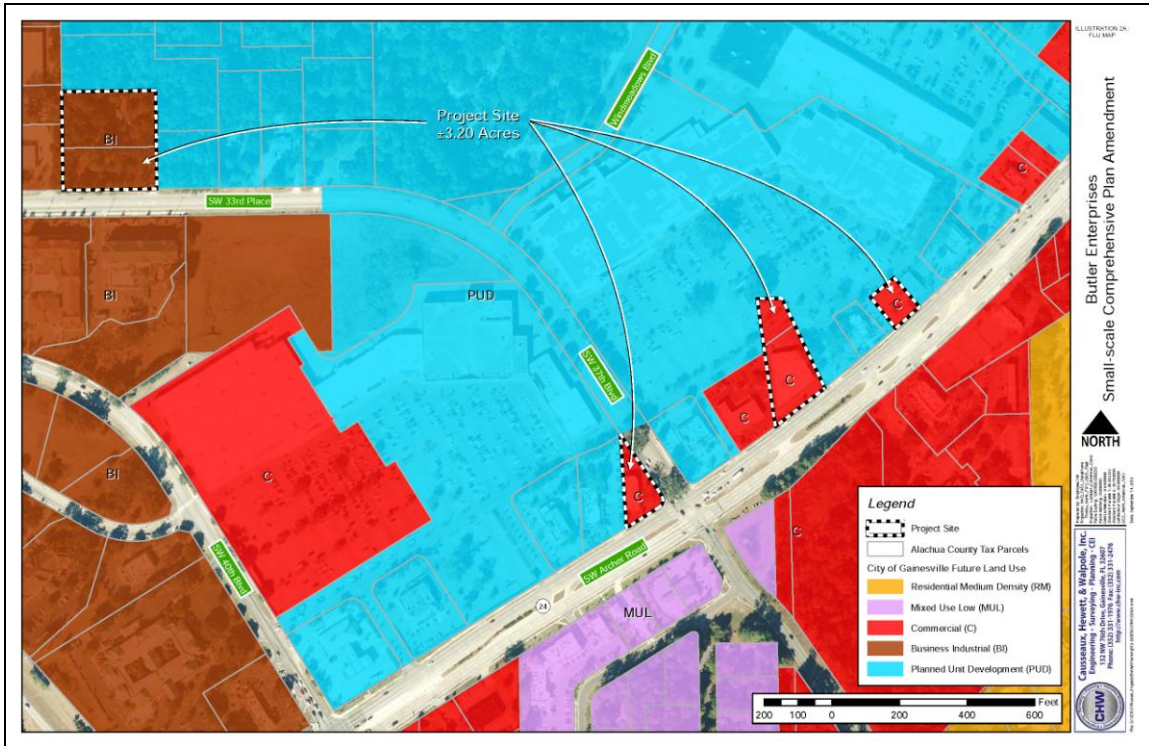


Figure 2: Existing Future Land Use Map

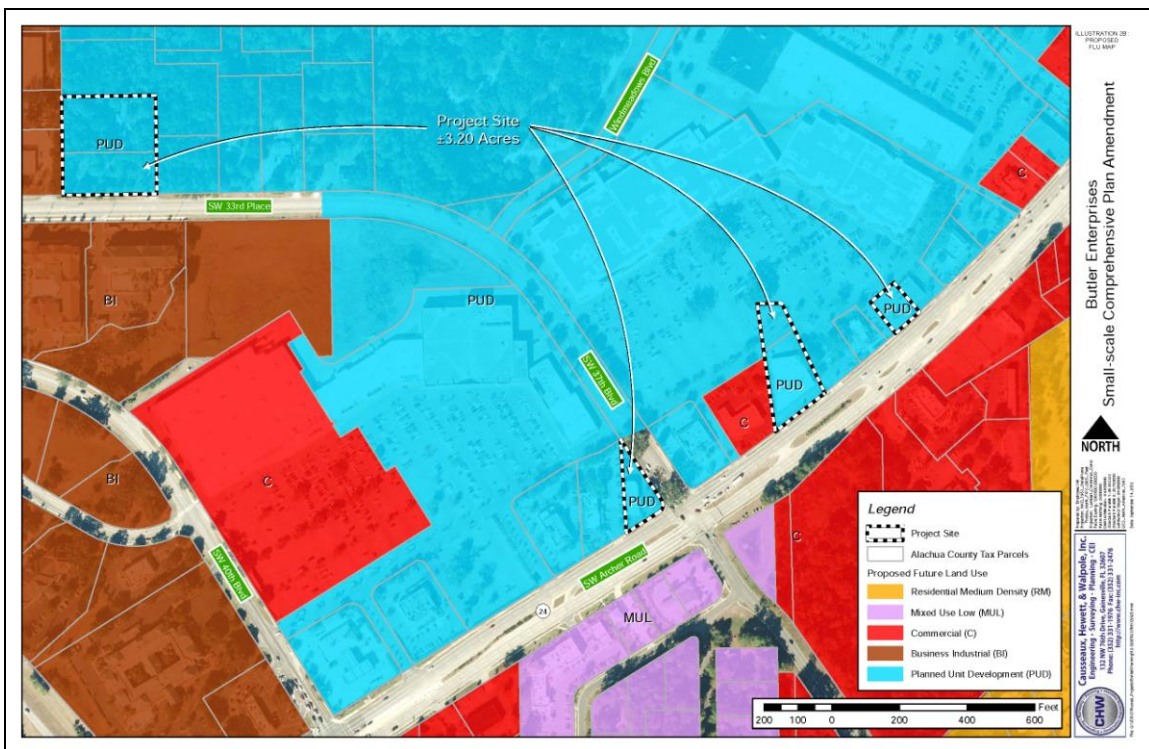


Figure 3: Proposed Future Land Use Map

As stated above, no new entitlements are being requested as part of this SsCPA application. The currently approved Butler Development entitlements identified in Future Land Use Policy 4.3.6 will be extended to the ±3.2-acre project site. Since the Butler Development entitlements are already approved and no new entitlements are being requested as a part of this application, this SsCPA will result in an overall reduction of the area's maximum development potential.

## **JUSTIFICATION OF NEED**

As demonstrated in this Justification Report's previous section, the proposed SsCPA will not result in any new net residential or non-residential entitlements. Therefore, a typical needs analysis, which statistically justifies an increase in entitlements, is not required. The SsCPA will ensure spatial consistency and continuity with development patterns.

While a typical needs analysis is not required, there are many reasons that justify the approval for the proposed amendment. The proposed SsCPA will increase redevelopment potential of the parcels, promote a more unified development for the overall Butler PUD, and provide additional area for stormwater and open space. The additional parcels will also allow additional area to create the City's desired interconnected roadway system. Additional justifications can be found throughout this Justification Report.

The currently approved Butler Development entitlements identified in Future Land Use Policy 4.3.6 will be extended to the six (6) parcels that make up the project site. The current entitlements were established through a large-scale comprehensive plan amendment (LsCPA) approved on August 5, 2010. A justification report was submitted as part of the LsCPA application which justified the need for the existing entitlements. A copy of these materials can be provided upon request.

## PLANNED USE DISTRICT CRITERIA

Comprehensive Plan *Policy 4.1.1* outlines specific criteria PUD FLU designation requests must address. Although these criteria are addressed throughout the Justification Report, this section will outline critical points and, where necessary, refer to sections within the report that address items in greater detail.

### *DENSITY AND INTENSITY*

As previously stated, the proposed SsCPA will not result in any new net residential or non-residential entitlements. The currently approved Butler Development entitlements identified in Future Land Use Policy 4.3.6 will be extended to the six (6) parcels that make up the project site.

The maximum cumulative development program for Butler Plaza (including existing development, redevelopment and development within all subareas) is also limited by the maximum trip generation which is not to exceed 37,591 average daily trips for all subareas. There are 12,224 average daily trips associated with the existing development; the owner may transfer up to 20% of those trips to the same use in another subarea. The planned development zoning ordinance for Butler Plaza (the “PD Zoning Ordinance”) shall include a land use equivalency matrix that shows use substitutions based on trip generation rates using ITE Trip Generation 8th Edition.

The current entitlements were established through a large-scale comprehensive plan amendment (LsCPA) approved on August 5, 2010. A justification report was submitted as part of the LsCPA application, which justified the need for the existing entitlements. A copy of these materials is on file at the City of Gainesville.

### *PERMITTED USES*

The following table lists the permitted uses for the approved Butler Development PUD. Since the six (6) parcels in this application will become part of the Butler Development PUD, this SsCPA requests that these same uses be extended to the ±3.2-acre project site.

**Table 2: Proposed Permitted Uses**

Commercial
Office
Hotel
Multi-Family Residential

### *ACCESS BY CAR, FOOT, BICYCLE, AND TRANSIT*

The parcels within the project site are currently accessible via automobile from Archer Road, SW 37<sup>th</sup> Boulevard, SW 33<sup>rd</sup> Place, and the adjacent Butler Development traffic circulation network. Pedestrian and bicycle access is provided by a sidewalk along SW Archer Road. Pedestrians and bicyclists are able to access the project site parcels along Archer Road directly from the existing sidewalk. The City of Gainesville's Regional Transit System (RTS) provides bus / transit access to the project site. Currently, RTS routes 1, 12, and 62 serve the project site.

As a result of the text amendment to Future Land Use Policy 4.3.6 submitted in conjunction with this SsCPA, the parcels that make up the ±3.2-acre project site will become part of the Butler Development PUD. The PUD requires that Butler Development develop / redevelop with interconnected streets to enhance automobile access, pedestrian pathways to encourage and enhance pedestrian and bicycle accessibility, and a transit transfer station that will improve transit access to and throughout the site. A bus rapid transit corridor is also planned to be located within the SW 62<sup>nd</sup> Boulevard right-of-way that will be extended through the Butler Development properties.

### *TRIP GENERATION AND TRIP CAPTURE*

The approved Butler Development PUD entitlements will be extended to the project site parcels. No additional entitlements are being requested as part of this SsCPA application. Trip generation and trip capture have been calculated for the overall Butler Development and development of the subject parcels is included in that overall maximum trip generation and thereby reducing the trips associated with these parcels. Therefore, no additional traffic impacts will be created by the proposed SsCPA.

A Traffic Impact Analysis (TIA) was completed and submitted in support of the original Butler Development PUD comprehensive plan amendment application and subsequently approved. A copy of this TIA is on file at the City of Gainesville. Additionally, site specific trip generation calculations and internal capture calculations were submitted as part of the development plan application for redevelopment of tax parcels 06803-001-000 and 0683-001-000.

### *ENVIRONMENTAL FEATURES*

The project site does not include any identified wetlands. A portion of tax parcels 06803-001-001 and 06803-001-000 contain floodplain as identified by the Federal Emergency Management Agency (FEMA). A site plan has been reviewed and approved by the City of Gainesville for the redevelopment of these parcels. The approved site plan is consistent with St. Johns River Water Management District requirements and the City of Gainesville Land Development Code standards. The remainder of the project site does not contain any floodplain.



*BUFFERING OF ADJACENT USES*

The project site parcels are located adjacent to the existing Butler Development PUD / PD boundary where existing commercial uses are developed. As previously stated, the project site parcels will become part of the approved Butler Development PUD / PD with the adoption of the comprehensive plan text amendment to revise Future Land Use Element Policy 4.3.6 submitted in conjunction with this SsCPA application. Buffering between uses internal to the PUD / PD will not be required.

## **IMPACT ANALYSIS**

### *IMPACT ON RESIDENTIAL STREETS*

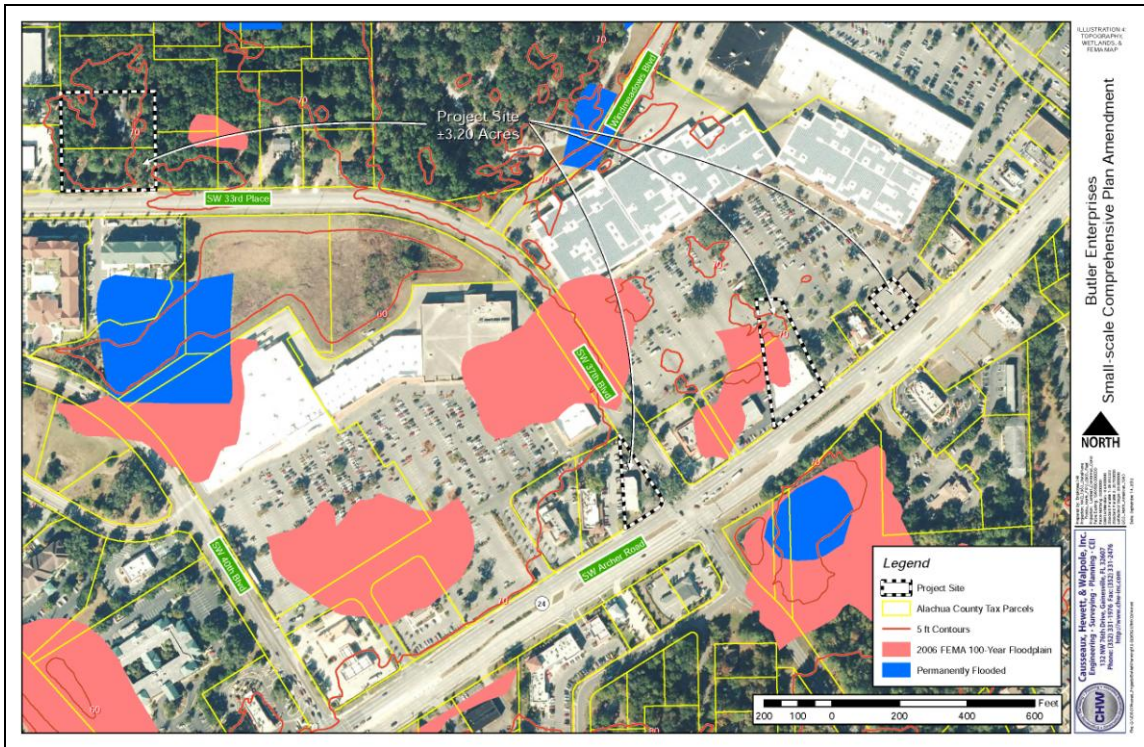
The project site parcels are located adjacent to Butler Development in a commercial-, light industrial-, and tourist entertainment-dominated area of the City. There are no single-family neighborhoods in this area. Therefore, the proposed SsCPA will not negatively impact any residential streets.

### *IMPACT ON NOISE AND LIGHTING*

Again, the project site parcels are located in an area of the City designated primarily for non-residential uses. Adjacent uses are generally similar in nature and operational hours. Lighting within the project site parcels and the overall Butler Development PUD / PD will be consistent with the City of Gainesville Land Development Code requirements. Also, parking areas will be buffered from public roadways by landscaping which will help reduce impacts from headlights during evening hours.

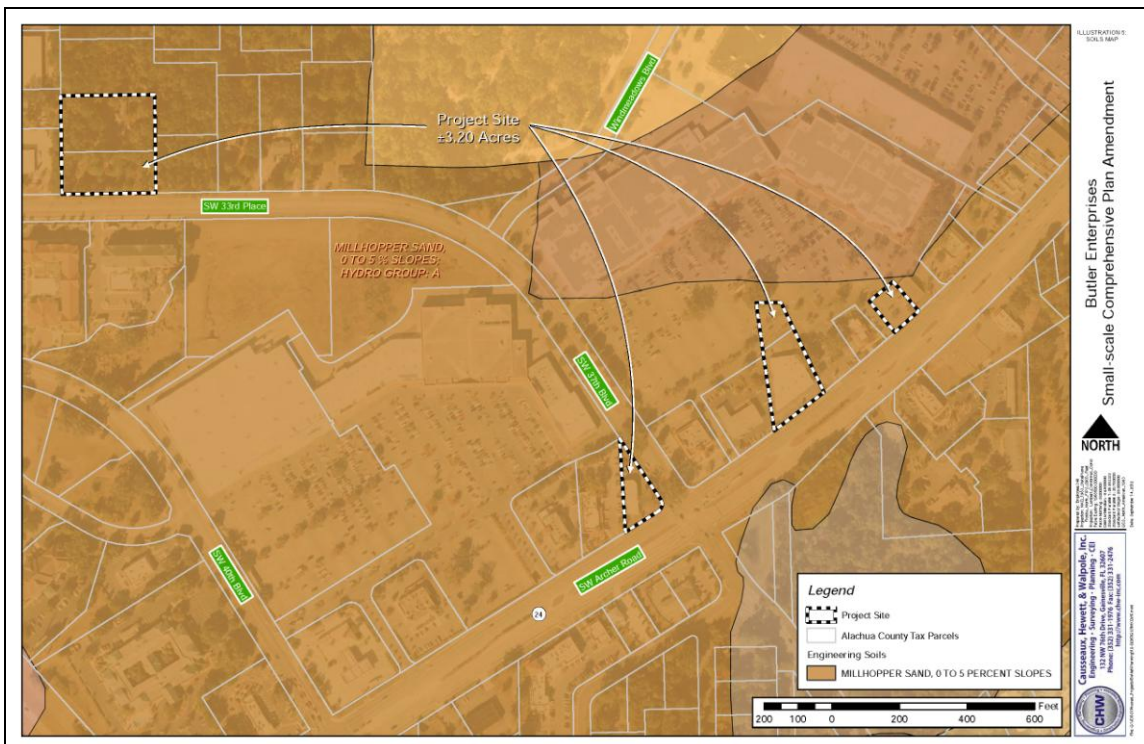
### *ENVIRONMENTAL FEATURES*

As shown on *Figure 4: Topography, Wetlands, & FEMA Floodplain Map*, The project site does not contain any identified wetlands. A portion of tax parcels 06803-001-001 and 06803-001-000 contain floodplain as identified by the Federal Emergency Management Agency (FEMA). A site plan has been reviewed and approved by the City of Gainesville for the redevelopment of these parcels. The approved site plan is consistent with St. Johns River Water Management District requirements and the City of Gainesville Land Development Code standards. The remainder of the project site does not contain any floodplain.



**Figure 4: Topography, Wetlands, & FEMA Floodplain Map**

According to the National Resources Conservation Service (NRCS), the soil types on-site are Urban Land and Millhopper-Urban Land Complex, 0- 5 % Slopes (*Figure 5: NRCS Soils Map*). As evidenced by the existing and surrounding development, this soil type is suitable for urban-type development.



**Figure 5: Natural Resources Conservation Service (NRCS) Soils Map**

### *HISTORIC AND ARCHEOLOGICAL RESOURCES*

According to Alachua County and the Florida Division of Historical Resources (DHR) data, no archeological resources are located on the project site. An archaeological and historical Phase I survey was conducted from March to June in 2007 for the surrounding Butler Development properties. The results of the survey concluded that development will have no effect on cultural resources and recommended no further investigation. The DHR issued a letter dated January 11, 2008, confirming these conclusions. A copy of this letter was submitted with the Butler Development Comprehensive Plan Amendment package in September 2009 and is on file with the City of Gainesville. Another copy of the DHR letter can be provided upon request.

The project site is not located within a City of Gainesville historic district. The existing structures on the ±3.2-acre project site are not listed on the Local or National Register of Historic Places and do not qualify as historic structures.

### *COMMUNITY CONTRIBUTIONS*

The site's proposed land use change is consistent with the City of Gainesville Comprehensive Plan and Future Land Use Map (FLUM). The project site parcels will become part of the Butler Development PUD / PD. This mixed-use project will attract retailers and shopping options for customers that are not currently available in the City of Gainesville. This will prevent Gainesville-area residents from having to travel outside the area to achieve their shopping needs and help keep more of resident's dollars within the local community. The Butler Development PUD / PD will also attract shoppers and visitors from outside the Gainesville-area to spend money within the local Gainesville community and boost the tax base.

### *POTENTIAL LONG-TERM ECONOMIC BENEFITS*

The project site parcels will become part of the Butler Development PUD as a result of the proposed SsCPA and concurrent comprehensive plan text amendment application. An Economic and Fiscal Impact Summary was submitted as part of the Butler Development PUD comprehensive plan amendment application submitted in December 2010. This summary stated that the permanent impacts of the Butler Development PUD will be quite large. Economic impacts of the project are projected to reach \$331 million each year upon project completion, including \$96 million in wages and 3,300 permanent jobs in the City of Gainesville and surrounding Alachua County. Additionally, an estimated 1,489 construction jobs will be created. A copy of this material is on file with the City of Gainesville.

### *LEVEL OF SERVICE STANDARDS*

The following tables summarize the public facilities impact analysis for this proposed SsCPA. As stated throughout this report, no new entitlements are being requested as part of this SsCPA application. The currently approved Butler Development entitlements identified in Future Land Use Policy 4.3.6 will

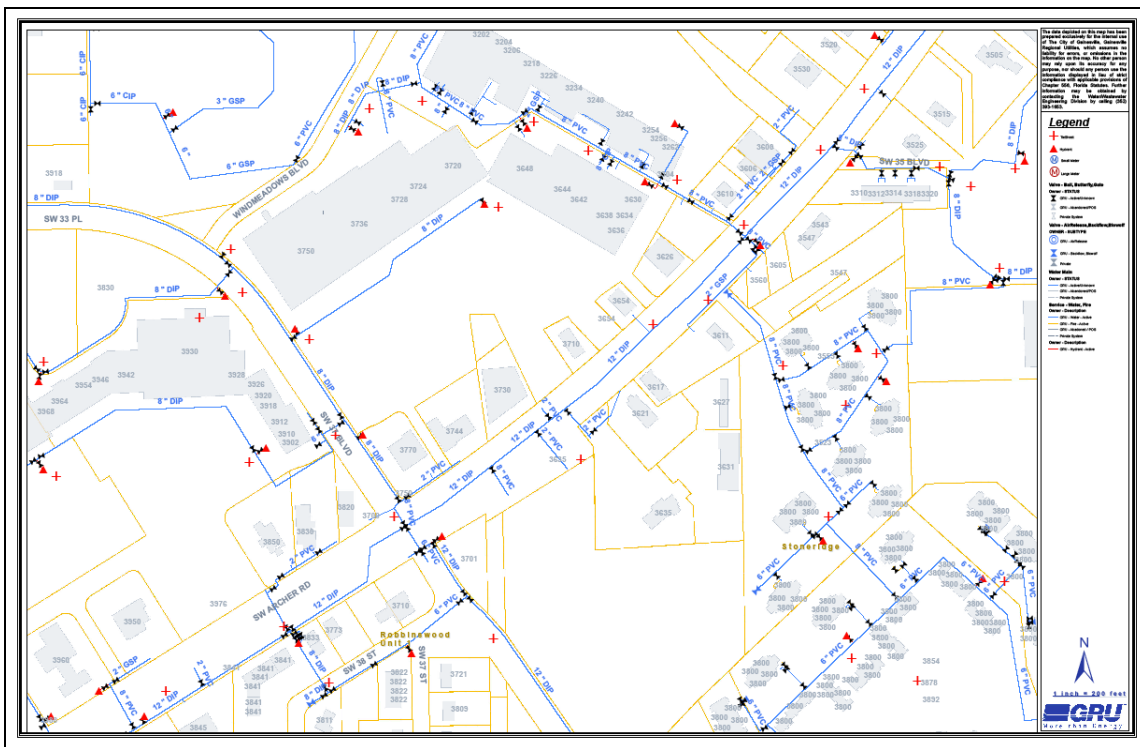
be extended to the ±3.2-acre project site. Since the Butler Development entitlements are already approved and no new entitlements are being requested as a part of this application, this SsCPA will result in an overall reduction of the maximum development potential.

**Table 3: Projected Potable Water Impact**

Use	Net New Entitlements	Level of Service	Gallons Per Day
Residential	0 units	200 gal / person / day	0
Commercial / Office	-437,342 ft <sup>2</sup>	0.15 gal / sq. ft. <sup>1</sup>	-65,601
<b>Total</b>	<b>-437,342 ft<sup>2</sup></b>	<b>-</b>	<b>-65,601</b>

1 – Source: Chapter 64E-6.008, F.A.C.

*Conclusion:* The proposed SsCPA will not negatively impact the City of Gainesville’s adopted Level of Service (LOS) for potable water. As shown in Figures 6 and 7 potable water lines currently exist adjacent to the project site parcels. Furthermore, the project site parcels that are currently developed are already being served by the existing potable water infrastructure.



**Figure 6. Existing Potable Water Infrastructure (Southern Parcels)**

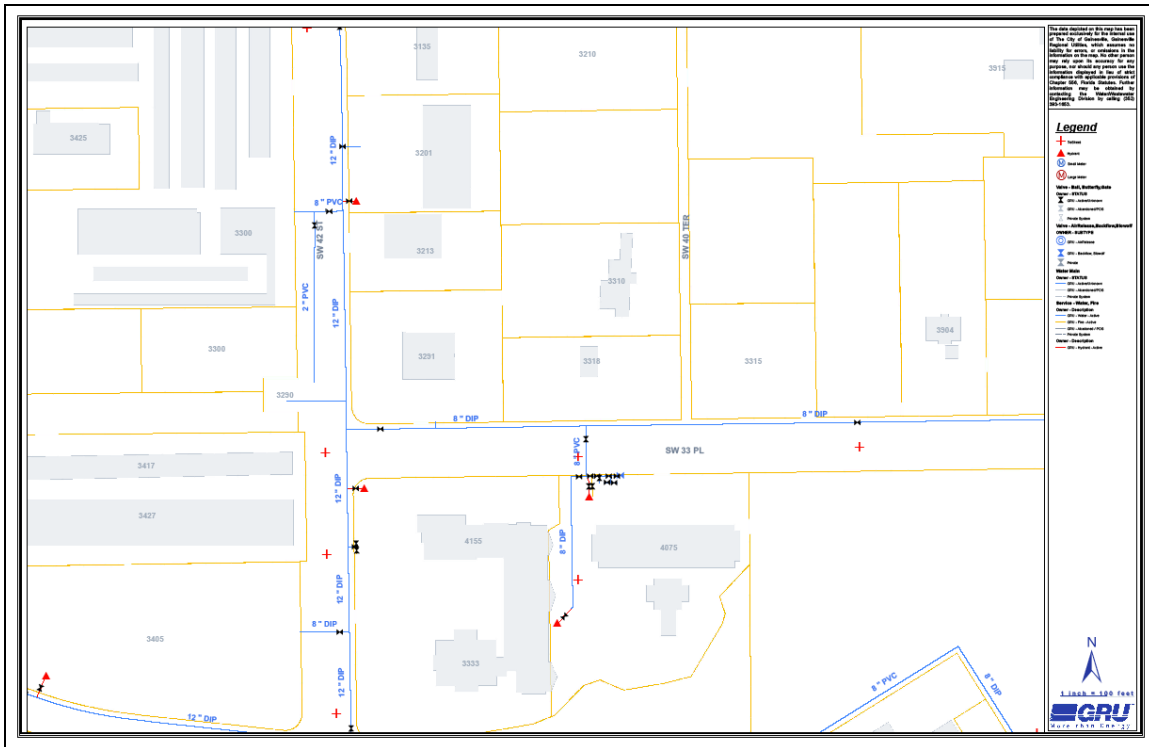


Figure 7. Existing Potable Water Infrastructure (Northern Parcels)

Table 4: Projected Sanitary Sewer Impact

Use	Net New Entitlements	Level of Service	Gallons Per Day
Residential	0 units	113 gal / person / day	0
Commercial / Office	-437,342 ft <sup>2</sup>	0.15 gal / sq. ft. <sup>1</sup>	-65,601
<b>Total</b>	<b>-437,342 ft<sup>2</sup></b>	-	<b>-65,601</b>

1 – Source: Chapter 64E-6.008, F.A.C.

*Conclusion:* The proposed SsCPA will not negatively impact the City of Gainesville’s adopted Level of Service (LOS) for sanitary sewer. In fact, the proposed SsCPA will actually reduce the potential demand by approximately 65,601 gallons per day. As shown in Figures 8 and 9 sanitary sewer lines currently exist adjacent to or in very close proximity to the project site parcels. Furthermore, the project site parcels that are currently developed are already being served by the existing sanitary sewer infrastructure.

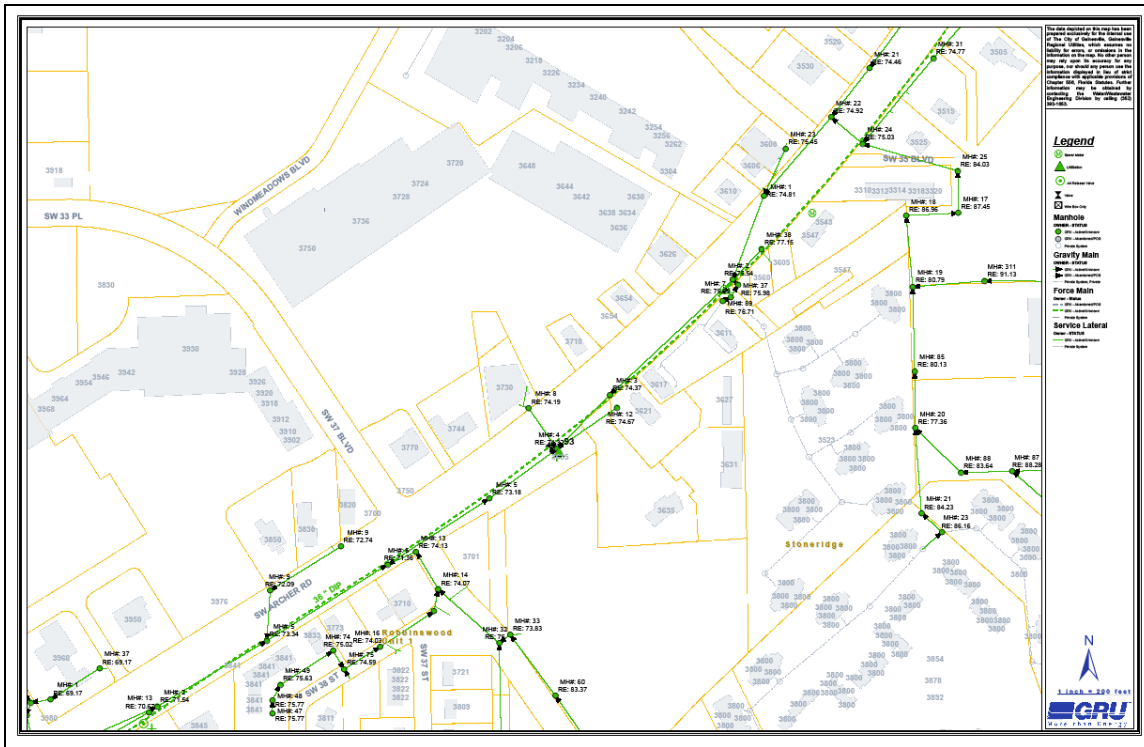


Figure 8. Existing Sanitary Sewer Infrastructure (Southern Parcels)

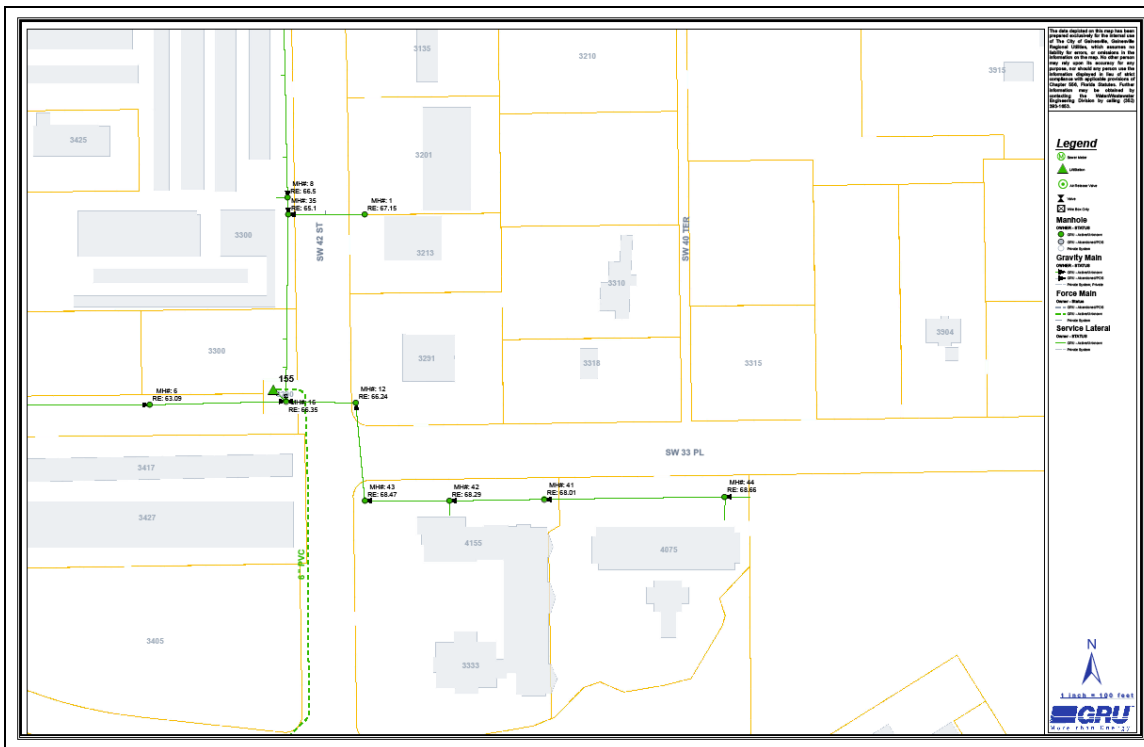


Figure 9. Existing Sanitary Sewer Infrastructure (Northern Parcels)

**Table 5: Projected Solid Waste Impact**

<b>System Category</b>	<b>Tons of Solid Waste Per Year</b>
Projected Impact From Amendment [0 units x 2.46 persons / dwelling units x 0.655 tons per capita/year (5.5 lbs./1,000 sq. ft./day x (-437,342 ft <sup>2</sup> ) x 365) / 2000] <sup>1</sup>	<b>-439</b>
<b>Alachua County Solid Waste Facility Capacity</b>	<b>&gt;10 years</b>

<sup>1</sup> – Commercial / Office Source: Sincero and Sincero; Environmental Engineering: A Design Approach, Prentice Hall, New Jersey, 1996

*Conclusion:* The proposed SsCPA will not negatively impact the City of Gainesville's adopted Level of Service (LOS) for solid waste. In fact, the proposed SsCPA will actually reduce the potential impact by approximately 439 tons per year.

**Table 6: Public School Impact**

	<b>Units</b>	<b>Elementary</b>	<b>Middle</b>	<b>High</b>
<b>Generation Rates</b>				
Single Family Units	-	0.159	0.08	0.112
Multi-family Units	-	0.042	0.016	0.019
<b>Calculations</b>				
Single Family Units	0	0	0	0
Multi-family Units	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

*Conclusion:* The proposed SsCPA will not generate any net new residential units. Therefore, the proposed SsCPA will not negatively impact public school facilities.



## CONSISTENCY WITH CITY OF GAINESVILLE COMPREHENSIVE PLAN

### Future Land Use Element

**GOAL 1:** *Improve the quality of life and achieve a superior, sustainable, development pattern in the City by creating and maintaining choices in housing, offices, retail and workplaces, and ensuring that a percentage of land uses are mixed, and within walking distance of important destinations.*

Response: The proposed SsCPA and companion comprehensive plan text amendment applications establish maximum levels of development and allowable uses within the Butler Development PUD / PD, and includes the provision for sustainable development patterns and practices. These include the encouragement and use of transit, including the proposed Bus Rapid Transit (BRT), Best Management Practices, and Low Impact Development Standards.

**Objective 1:** *Adopt city design principles which adhere to timeless (proven successful), traditional principles.*

**Response:** The proposed project site parcels will become part of the overall Butler Development PUD / PD. The Butler Development PUD / PD proposes to provide a multi-use development utilizing smart growth principles, including development options that reflect innovative planning and development strategies. The companion text amendment that revises FLUE Policy 4.3.6 establishes development principles for the Butler Development PUD. These principles include pedestrian oriented design, enhanced roadway connectivity, and enhanced multi-modal connectivity to surrounding properties and roadways, including the provision for Regional Trans System's (RTS) proposed BRT.

The project will result in a concentration of commercial and non-residential nodes while avoiding strip commercial development patterns. The project proposes a Town Center component that clusters design and development features, which increases the internal capture of trips and pedestrian opportunities.

**Objective 1.2:** *Protect and promote viable transportation choices (including transit, walking and bicycling, and calmed car traffic).*

**Response:** The proposed project site parcels will become part of the overall Butler Development PUD / PD. Butler Development includes increased accessibility via the roadway network, pedestrian, and bicycle network as well as increased transit service. Access points to surrounding roads and a road realignment through the proposed project itself increases accessibility to Butler Development. Public Bus Stops and the proposed RTS BRT Service also increase the connectivity to surrounding developments. Currently, the project is served by no less than seven (7) roads including SW Archer Road and SW 24<sup>th</sup> Avenue. Alachua County is also studying the realignment and improvement of an internal roadway through the SW 62<sup>nd</sup> Boulevard Project Development & Environmental (PD&E) Study.

**Policy 1.2.3:** *The City should encourage mixed-use development, where appropriate.*

**Response:** The project site parcels will become part of the Butler Development PUD / PD. The Butler Development PUD / PD is a proposed multi-use development that allows retail, office, hotel, and residential development.

**Policy 1.2.5:** *The City should encourage creation of short-cuts for pedestrians and bicyclists with additional connections and cross access in order to create walking and bicycling connections between neighborhoods and neighborhood (activity) centers.*

**Response:** The proposed project site parcels will become part of the overall Butler Development PUD / PD. The comprehensive plan text amendment submitted in conjunction with this SsCPA application establishes development principles for the Butler Development PUD / PD, including the provision of pedestrian and bicycle connections. The project will provide multiple roadway and/or sidewalk connections to the existing network. Pedestrian and/or bicycle connections will be provided, where appropriate, to provide connections with the Windmeadows Apartments as well as to SW 24<sup>th</sup> Avenue.

**Policy 1.2.7:** *The City should strive, incrementally, and when the opportunity arises street by street-to form an interconnected network of neighborhood streets and sidewalks supportive of car, bicycle, pedestrian, and transit routes within a neighborhood and between neighborhoods-knitting neighborhoods together and not forming barriers between them. Dead ends and cul-de-sacs should be avoided or minimized. Multiple streets and sidewalks should connect into and out of a neighborhood.*

**Response:** Access points to surrounding roads and a road realignment through the proposed project itself increases accessibility to Butler Development. Public bus stops and the proposed RTS BRT Service will also increase the connectivity to surrounding developments. Currently, the project is served by no less than seven (7) roads including SW Archer Road and SW 24<sup>th</sup> Avenue.

**Objective 1.3:** *Adopt land development regulations that guide the transformation of conventional shopping centers into walkable, mixed-use neighborhood (activity) centers.*

**Policy 1.3.2:** *Centers should be pleasant, safe, and convenient for pedestrians and bicyclists and contain a strong connection to transit service.*

**Response:** FLUE Policy 4.3.6 provides development principles for Butler Development that encourage and address vehicular and non-vehicular activities. The project includes existing and proposed transit service with increased pedestrian and bicycle connections dispersed throughout the site.

**Objective 1.5:** *Discourage sprawling, low-density dispersal of the urban population.*

**Response:** The project site parcels and the overall Butler Development PUD / PD encompass properties that are currently developed as well as undeveloped properties. Based on the surrounding zoning and land use patterns Butler Development will provide infill development. This area, including the Urban Village provides a compact, higher density and intensity development for both the City and the County as a whole.

**GOAL 2:** *Redevelop areas within the city, as needed, in a manner that promotes quality of life, transportation choice, a healthy economy, and discourages sprawl.*

**Objective 2.1:** *Redevelopment should be encouraged to promote compact, vibrant urbanism, improve the condition of blighted areas, discourage urban sprawl, and foster compact development patterns that promote transportation choice.*

**Policy 2.1.1:** *The City shall continue to develop recommendations for areas designated as redevelopment areas, neighborhood centers and residential neighborhoods in need of neighborhood enhancement and stabilization.*

a. *The City should consider the unique function and image of the area through design standards and design review procedures as appropriate for each redevelopment area;*

b. *The City should include in its redevelopment plans recommendations regarding economic development strategies, urban design schemes, land use changes, traffic calming, and infrastructure improvements;*

c. *The City should identify potential infill and redevelopment sites; provide an inventory of these sites; identify characteristics of each parcel including land development regulations, infrastructure availability, major site limitations, and available public assistance; and develop a strategy for reuse of these sites;*

d. *The City should encourage retail and office development to be placed close to the street side sidewalk.*

**Response:** FLUE Policy 4.3.6 provides development principles for the Butler Development PUD / PD. Specific development standards are further defined in the corresponding PD district ordinance including specific levels and types of development activities. A portion of the Butler Development PUD / PD will be required to develop or redevelop consistent with the Town Center standards provided in the PD ordinance.

**Objective 3.4:** *The City shall ensure that services and facilities needed to meet and maintain the LOS standards adopted in this Plan are provided.*

**Response:** Based on analysis provided in this SsCPA application, applicable LOS standards will be met including water, wastewater, and solid waste.

### **Conservation, Open Space, & Groundwater Recharge Element**

**GOAL 3:** *Improve urban spaces through preservation and enhancement of the urban forest. Maintain the City's commitment to preservation of the urban forest and street trees as a defining feature of our community.*

**Objective 3.1.2:** *The City shall adopt land development regulations for new development that require use of native and drought-tolerant plants ("xeriscape") and a reduction in allowable turf area; energy conservation through tree and shrub canopy requirements in the Land Development Code that result in shade for buildings and pavement; species diversity in new plantings (no more than 50 percent of any one genus on any site plan) to reduce the effect of loss of a tree species due to insect or disease outbreaks; and a plan for the removal of invasive trees and shrubs shall be submitted at the time of final development review*

**Response:** Development and/or redevelopment of the project site parcels will protect and mitigate for existing trees that must be removed to accommodate development through adherence to the current Land Development Regulations for tree preservation and mitigation as well as principles and standards identified in FLUE Policy 4.3.6 and the Butler Development PD ordinance.

### **Urban Design**

**Policy 1.1.1:** *Indicators of traditional, pedestrian-oriented, urban areas appropriate for urban design standards should include some or all of the following characteristics:*

- *Building facades pulled up close to the street, facing the street, and generally aligned.*
- *Relatively high-density mixed use, compactly laid out to accommodate walking.*
- *A mixture of housing types or prices.*
- *Multi-story buildings.*
- *Connected, narrow streets, or streets with modest turning radii.*
- *A connected network of sidewalks.*
- *Mature street trees lined up along the street.*
- *On-street parking.*
- *Off-street parking at sides or rear of buildings.*
- *Narrow, smaller lots.*
- *Front porches.*
- *Garages subservient to primary building.*
- *Short block faces.*
- *Terminated vistas.*

**Policy 1.1.7:** *In order to encourage neighborhood-serving town centers, the City shall allow for the designation of new town centers only if they, at a minimum, meet the following standards:*

- *Modest commercial build-to lines that pull the building up to a wide streetside sidewalk with a row of trees.*

- *Modest instead of abundant off-street parking, located at the rear or side of buildings, and away from pedestrian areas.*
- *A sense of arrival and departure.*
- *A connected sidewalk and path system promoting safety, comfort and convenience by linking buildings within the Center and to adjacent properties.*
- *Building facades facing the street and aligned to form squares, streets, plazas or other forms of a pleasant public realm.*
- *A vertical mix of residences above non-residential uses within the center, and a required percentage of Center floor area that is residential and retail.*
- *No free-standing retail establishment within the center exceeding 30,000 square feet (or some set maximum) of first floor area.*
- *First floor uses promoting entertainment and retail uses, and articulation and glazing for pedestrian interest.*
- *Rules that restrict establishment of auto-oriented uses, or uses that generate significant noise, odor, or dust.*

**Response:** The proposed project site parcels will become part of the overall Butler Development PUD / PD. FLUE Policy 4.3.6 and the Butler Development PD ordinance contain development principles and standards comparable to the items contained in the above Policies 1.1.1 and 1.1.7, as applicable. The Butler Development PUD / PD includes a Town Center component that proposes a majority of (applicable) elements. The PD District standards include overall intent, allowable uses, block length and perimeter, open space, intensity of use, parking standards, building massing standards, articulation, materials/colors, landscaping, lighting, and service structure location and screening, and signage.

**Objective 1.2:** *Promote urban livability and aesthetics, including the safety, comfort, and convenience of pedestrians, bicyclists and transit users, while still providing for the needs of car drivers.*

**Response:** The proposed project site parcels will become part of the overall Butler Development PUD / PD. Butler Development proposes a significant interconnected and integrated transportation network system including roadways, pedestrian connections and sidewalks, and bikeways. The development program and conceptual development plan is a transit oriented plan that coincides with the existing transit service to the area as well as the proposed BRT system.

**Policy 1.2.12:** *CPTED (Crime Prevention Through Environmental Design) principles shall be incorporated, where feasible and appropriate, in new projects.*

**Response:** The proposed project site parcels will become part of the overall Butler Development PUD / PD. FLUE Policy 4.3.6 and the Butler Development PD ordinance proposes a series of development principles and standards consistent with elements of CPTED principles. The Applicant has committed to working with public safety officials to ensure a safe environment.

### **Potable Water and Wastewater**

**GOAL 1:** *To provide adequate, safe, economic, reliable and environmentally sound water and wastewater utility services.*

**Objective 1.1:** *Water and wastewater services shall be provided at adequate levels of service (LOS) to meet the needs of existing and future populations.*

**Policy 1.3.2:** *The City shall encourage development of property in close proximity to existing service areas through the continued use of appropriate economic incentives concerning the extension of water and wastewater services as listed below:*

- a. *The City shall continue its policy of having all new water and wastewater service connections pay the fully allocated cost of the treatment facilities required to serve them in the form of plant connection fees, and the cost of distribution or collection facilities, unless the service is on a developer-installed system;*
- b. *The City shall continue its policy of having development contribute the water and wastewater distribution and collection system internal to a development. Contributions in aid of construction are paid if the City does not project an adequate return on investment for water distribution or wastewater collection system extensions;*
- c. *The City shall continue its policy that all facilities constructed and contributed to the utility system must be approved, inspected and built to City standards.*

**Objective 1.4:** *The use of existing water and wastewater facilities shall be maximized by adopting the following policies:*

**Policy 1.4.1:** *All new developments at equivalent residential densities greater than 2 units per acre that require potable water, within the City of Gainesville, shall be required to connect to the centralized potable water system except as specified in Policy 1.4.5: Equivalent development densities shall be determined as estimated by Gainesville Regional Utilities.*

*Policy 1.4.2: All new developments at equivalent residential densities greater than 2 units per acre that require wastewater treatment, within the City of Gainesville, shall be required to connect to the centralized wastewater system except as specified in Policies 1.4.4 and 1.4.5. Equivalent development densities shall be determined as estimated by Gainesville Regional Utilities. Non-residential development proposed to be on septic tanks must demonstrate that it will not dispose of toxic, hazardous, or industrial waste in the septic tank.*

**Response:** As demonstrated previously in this justification report, the proposed SsCPA will actually reduce the maximum potential development. Therefore, the proposed SsCPA will not negatively impact the City's adopted LOS for water and wastewater. Also, infrastructure exists adjacent to the project site parcels that will serve the sites.

## **Solid Waste**

**GOAL 1:** *Provide for the management of solid and hazardous wastes in a manner which assures public health and safety, protects environmental resources, and conserves energy.*

**Policy 1.1.6:** *The City shall continue to require new multi-family, commercial, and institutional developments to include recycling receptacles or have provisions for access to off-site recycling facilities. Recycling receptacles shall also be placed at public parks, the airport, and other places of public assembly.*

**Objective 1.4:** *Establish a level of service (LOS) standard for the disposal of solid waste generated by current and future City waste generators.*

**Policy 1.4.1:** *The following LOS standard for disposal and collection capacity shall be established: 0.655 tons of solid waste per capita per year disposed (3.6 pounds of solid waste per capita per day disposed). The City shall continue to maintain contracts with solid waste haulers and landfill operators that require replacement and purchase of collection trucks necessary to collect 1.07 tons of solid waste per capita per year (5.9 pounds per capita per day).*

**Response:** As demonstrated previously in this justification report, the proposed SsCPA will actually reduce the maximum potential development. Therefore, the proposed SsCPA will not negatively impact the City's adopted LOS for water or wastewater.

## **Transportation Mobility**

**GOAL 1:** *Establish a Transportation system that enhances compact overall development, redevelopment, quality of life, that is sensitive to the cultural and environmental amenities of Gainesville, and implements the vision of the "Year 2020 Livable Community Reinvestment Plan" (Gainesville 2020 Transportation Plan) within the City of Gainesville, the transportation system shall provide equal attention to pedestrian, bicycle, auto and public transit needs. The system should provide vehicular, public transit and non-motorized access to activity centers, community facilities and neighborhood commercial areas.*

**Objective 1.1:** *Create an environment that promotes transportation choices, compact development, and a livable city.*

**Policy 1.1.11:** *Site plans for new developments and redevelopment of non-residential sites shall be required to show any existing and proposed bicycle and pedestrian access to adjacent properties and transit stops.*

**Policy 1.1.13:** *The City shall strive to implement transportation-related aspects of Plan East Gainesville, including but not limited to:*

a. *Coordinating with the MTPO to establish a Bus Rapid Transit system connecting east Gainesville with centers of employment and commerce.*

**GOAL 2:** *Provide a safe, convenient, continuous, comfortable, and aesthetically pleasing transportation environment that promotes walking. Develop a "park once" environment at each City neighborhood (activity) center.*

**Objective 2.1:** *Establish land use designations and encourage site plans which reduce trip distances.*

**Policy 2.1.10:** *In new development or redevelopment, walking and bicycling shall be promoted by establishing modest, human-scaled dimensions such as small street blocks, pedestrian-scaled street and building design, ample sidewalks to carry significant pedestrian traffic in commercial areas.*

**GOAL 3:** *Create a premiere community transit system that provides a variety of flexible transportation services that promote accessibility and comfort. The City shall become a national model for expanded and enhanced transit service through aggressive efforts to provide convenient service throughout the City and urban area. Service shall be provided with the cleanest, quietest, most efficient equipment feasible.*

**Response:** Pedestrian and bicycle access is provided by the presence of a sidewalk along SW Archer Road. Pedestrians and bicyclists are able to access the project site parcels along Archer Road directly from the existing sidewalk. The City of Gainesville's RTS provides bus / transit access to the project site. Currently, RTS routes 1, 12, and 62 serve the project site.

As a result of the text amendment to Future Land Use Policy 4.3.6 submitted in conjunction with this SsCPA, the parcels that make up the ±3.2-acre project site will become part of the Butler Development PUD. The PUD requires that Butler Development develop / redevelop with interconnected streets to enhance automobile access, pedestrian pathways to encourage and enhance pedestrian and bicycle accessibility, and a transit transfer station that will improve transit access to the site. A BRT corridor is also planned to be located within the SW 62<sup>nd</sup> Boulevard right-of-way that will be extended through the Butler Development PUD.



## URBAN SPRAWL ANALYSIS

There are thirteen (13) primary indicators of urban sprawl as identified in Chapter 163.3177(6)(a)9, Florida Statutes. As shown in the analysis below, the proposed amendment does not trigger any of these indicators and adoption of this amendment will discourage the proliferation of urban sprawl.

1. Promotes, allows or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

**Response:** The proposed SsCPA project site parcels are located in the City of Gainesville's urban area. This amendment requests to change the site's single-use land use categories to a mixed use category that permits supportive and appropriate density for the area's future redevelopment.

2. Promotes, allows or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.

**Response:** The proposed SsCPA project site parcels are a part of an infill project that incorporates residential, office, and retail in the City's core. The development's objective and the site's location discourage continued trends in rural area development. Approval of this amendment encourages other infill within this area, further decreasing historical urban fringe-type development patterns.

3. Promotes, allows or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.

**Response:** The proposed SsCPA project site parcels are located within a mixed-use development within the City of Gainesville.

4. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

**Response:** The project site does not contain any identified wetlands. A portion of tax parcels 06803-001-001 and 06803-001-000 contain floodplain as identified by the Federal Emergency Management Agency (FEMA). A site plan has been reviewed and approved by the City of Gainesville for the redevelopment of these parcels. The approved site plan is consistent with St. Johns River Water Management District requirements and the City of Gainesville Land Development Code standards. The remainder of the project site does not contain any floodplain.

5. Fails adequately to protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.

**Response:** Due to the proposed development's urban setting, no agricultural activities are adjacent to nor will any be interrupted or discontinued.

6. Fails to maximize use of existing public facilities and services.

**Response:** The proposed SsCPA project site parcels utilize existing public facilities and services supplied by Gainesville Regional Utilities (GRU), the City of Gainesville Public Works Department, and the Florida Department of Transportation (FDOT).

7. Fails to maximize use of future public facilities and services.

**Response:** The proposed SsCPA project site parcels will utilize future public facilities and services as they become available in the City.

8. Allows for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

**Response:** The development site is located in an urban area that is already supported by all available facilities and services. Therefore, the proposed development will not disproportionately increase the cost in time, money, and energy to provide and maintain facilities and services.

9. Fails to provide a clear separation between rural and urban uses.

**Response:** Located in the City of Gainesville's urban area, this development proposal furthers the definition of urban space, as well as relieves development pressure at the urban fringe and in rural areas.

10. Discourages or inhibits infill development or the redevelopment of existing

neighborhoods and communities.

**Response:** The proposed SsCPA project site parcels encourage infill development or the redevelopment of existing vacant sites. In fact, the development will set a new standard for redevelopment in the City of Gainesville and will hopefully encourage additional infill and redevelopment projects within the urban area.

11. Fails to encourage a functional mix of uses.

**Response:** The proposed SsCPA project site parcels are located in the City of Gainesville's urban area. This amendment requests to change the site's single-use land use categories to a mixed use category that permits supportive and appropriate density for the area's future redevelopment.

12. Results in poor accessibility among linked or related land uses.

**Response:** The land use unification, proposed by this SsCPA, increases and improves accessibility among linked and related land uses. As part of the overall Butelr Plaza PUD / PD, the sites will be connected by traffic circulation, pedestrian walkways, and bicycle path systems throughout the development.

13. Results in the loss of significant amounts of functional open space.

**Response:** No functional open space currently exists within the SsCPA project site parcels. Therefore, no loss of significant amounts of functional open space occurs.