

Legislative #

180016A

1
2
3 **ORDINANCE NO. 180016**

4 **An ordinance of the City of Gainesville, Florida, amending the Zoning Map**
5 **Atlas by rezoning to Planned Development (PD) district approximately 17.39**
6 **acres of property located in the vicinity of 6500 Newberry Road and known as**
7 **the North Florida Regional Medical Center Planned Development, as more**
8 **specifically described in this ordinance; providing development conditions;**
9 **providing directions to the City Manager; providing a severability clause;**
10 **providing a repealing clause; and providing an effective date.**

11 **WHEREAS, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a**
12 **Comprehensive Plan to guide the future development and growth of the city; and**

13 **WHEREAS, Section 163.3177(6), Florida Statutes, requires the City of Gainesville**
14 **Comprehensive Plan to include a Future Land Use Element with a Future Land Use Map that**
15 **designates the future general distribution, location, and extent of the uses of land for**
16 **residential, commercial, industry, agriculture, recreation, conservation, education, public**
17 **facilities, and other categories of the public and private uses of land, with the goals of**
18 **protecting natural and historic resources, providing for the compatibility of adjacent land uses,**
19 **and discouraging the proliferation of urban sprawl; and**

20 **WHEREAS, the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or**
21 **amend and enforce land development regulations that are consistent with and implement the**
22 **Comprehensive Plan and that are combined and compiled into a single land development code**
23 **for the city; and**

24 **WHEREAS, the City of Gainesville Land Development Code (Chapter 30 of the City of Gainesville**
25 **Code of Ordinances) establishes zoning districts to implement the Comprehensive Plan and**
26 **land development regulations on specific classifications of land within the city; and**

27 **WHEREAS**, Planned Development District (PD) zoning is a zoning category that allows for
28 landowners or developers to submit unique proposals that are not addressed or otherwise
29 provided for in the zoning districts and land development regulations established by the City of
30 Gainesville Land Development Code; and

31 **WHEREAS**, on July 28, 1992, the Board of County Commissioners of Alachua County adopted
32 Resolution No. Z-92-29 and rezoned certain property, which included the property that is the
33 subject of this ordinance, from Single-Family Low-Density (R-1A) district to Non-Residential
34 Planned Unit Development (PUD) with development conditions; and

35 **WHEREAS**, on September 2, 1992, the electorate approved the annexation of certain property,
36 including the subject property, into the City of Gainesville; and

37 **WHEREAS**, on October 9, 1995, the City Commission adopted Ordinance No. 950702 and
38 amended the development conditions applicable to the subject property that were adopted by
39 Alachua County Resolution No. Z-92-29; and

40 **WHEREAS**, on April 8, 1996, the City Commission adopted Ordinance No. 951321 and, among
41 other things, rezoned the subject property from Alachua County Non-Residential Planned Unit
42 Development (PUD) to City of Gainesville Planned Development (PD) district, and maintained
43 by reference the development conditions adopted by Alachua County Resolution No. Z-92-29
44 and City of Gainesville Ordinance No. 950702; and

45 **WHEREAS**, on July 22, 2002, the City Commission adopted Ordinance No. 002675 and
46 amended City of Gainesville Ordinance No. 950702 regarding the development conditions
47 regulating the subject property; and

48 **WHEREAS**, on June 14, 2004, the City Commission adopted Ordinance No. 030755 and imposed
49 additional development conditions applicable to the subject property, and stated that the
50 development conditions that regulate the subject property in Alachua County Resolution No. Z-
51 92-29 and City of Gainesville Ordinance No. 950702 shall remain in full force and effect; and
52 **WHEREAS**, this ordinance, which was requested by the owner(s) of the property that is the
53 subject of this ordinance and which was noticed as required by law, will amend the Planned
54 Development District (PD) zoning applicable to the subject property; and
55 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
56 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
57 pursuant to Section 163.3174, Florida Statutes, held a public hearing on May 24, 2018, and
58 voted to recommend that the City Commission approve this PD zoning ordinance; and
59 **WHEREAS**, at least ten days' notice has been given once by publication in a newspaper of
60 general circulation notifying the public of this proposed ordinance and of public hearings in the
61 City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and
62 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings
63 the parties in interest and all others had an opportunity to be and were, in fact, heard; and
64 **WHEREAS**, the City Commission finds that the rezoning of the subject property is consistent
65 with the City of Gainesville Comprehensive Plan.
66 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
67 **FLORIDA:**
68 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
69 following described property to Planned Development (PD) district:

70 See legal description attached as **Exhibit A** and made a part hereof as if set forth
71 in full. The location of the property is shown on the PD Layout Plan attached as
72 **Exhibit B** for visual reference. In the event of conflict or inconsistency, **Exhibit A**
73 shall prevail over **Exhibit B**.
74

75 **SECTION 2.** The use and development of the property described in Section 1 of this ordinance
76 must be consistent with the City of Gainesville Comprehensive Plan and will be regulated in
77 accordance with the conditions listed below. Except as expressly provided in the conditions
78 below, the use, regulation and development of the portion of the PD with a future land use
79 category designation of Office shall be governed as if it were zoned “MD – Medical Services”
80 and the portions of the PD with a future land use category designation of Conservation or
81 Recreation shall be governed as if it were zoned “CON – Conservation” and all development
82 shall be in conformance with and regulated by the Land Development Code in effect at the
83 time of development approvals.

84 A. The subject property must be developed in substantial compliance with the PD Layout Plan
85 attached as **Exhibit B** and made a part hereof as if set forth in full.
86

87 B. A minimum 100-foot wide buffer must be preserved and maintained, except for the
88 running of the utility lines, along the eastern boundary of the property and must consist of
89 a high-density combination of canopy and understory trees and shrubs or stockade fence
90 (or appropriate alternative) to provide buffering and visual screening to the adjacent
91 property.
92

- 93 **Setbacks:**
94 East property line: 100’ minimum
95 South property line: 100’ minimum
96 North property line: 0’
97 West property line: 0’
98

99 C. The uses allowed in the portion of the PD with a future land use category designation of
100 Office (which is the portion of the PD that is not identified as Recreation land use or
101 Conservation land use on the PD Layout Plan) are:
102

103 1. Health Services

- 104 2. Medical and dental laboratories
- 105 3. Offices
- 106 4. Offices, medical and dental
- 107 5. Research, development and testing service
- 108 6. Restaurant, accessory use only
- 109 7. Telecommunication tower
- 110 8. Pharmacy, accessory use only
- 111 9. Medical marijuana dispensing facility, accessory use only
- 112 10. Parking structures
- 113

114 The uses allowed in the portion of the PD with future land use category designations of
115 Recreation or Conservation (as identified on the PD Layout Plan) are limited to passive
116 recreation in the pond, trails, and landscaped areas.

- 117
- 118 D. The maximum enclosed building square footage allowed in the PD is 170,000 square feet of
119 gross floor area (GFA). Square footages associated with parking structures or with
120 accessory structures for the telecommunication tower do not count against the maximum
121 allowable building square footage. The maximum building height may not exceed 7 stories.
122 Maximum lot coverage is 30%.
- 123
- 124 E. A minimum of 45% of the entire PD area must be open space. Open space, for the
125 purposes of this PD, means pervious ground area that includes, but is not limited to: areas
126 with future land use category designations of Recreation or Conservation, wetlands,
127 wetland buffers, surface waters, surface water buffers, stormwater management areas,
128 and the trails/paths/sidewalks (regardless of whether pervious or impervious) located
129 within the open space areas.
- 130
- 131 F. The telecommunication tower must be placed in a location and manner that will not
132 require removal of existing trees, except as allowed by the City Arborist in accordance with
133 the Land Development Code, and that will be the least visible to adjacent residential
134 neighbors to the north.
- 135
- 136 G. All accessory structures related to the functioning of the telecommunication tower must be
137 within a building or placed within an area that completely encloses the structures. The
138 enclosure must maintain architectural compatibility with nearby structures on the site, or
139 there may be alternative screening and enclosures subject to development plan approval.
- 140
- 141 H. All structures related to or constructed as part of the telecommunication tower must
142 maintain an average of 50 feet and a minimum of 35 feet from the outward limits of any
143 surface water or wetland area on the site.
- 144
- 145 I. As part of development plan review, any wetland or surface water boundaries that are
146 associated with a development site must be delineated and a jurisdictional determination

- 147 made by the appropriate water management district.
148
- 149 J. The approved buffer area around the telecommunication tower must be planted and
150 maintained with appropriate vegetation and screening to provide necessary buffering.
151
- 152 K. All landscaping required as part of previously approved development plans must be
153 maintained.
154
- 155 L. Any surface water buffer area must comply with Article VIII, Division 4 of the Land
156 Development Code, and may contain utility relocations and pedestrian paths, trails and
157 sidewalks.
158
- 159 M. As part of development plan review for the proposed parking structure, the
160 owner/developer must provide proof of a Federal Aviation Administration determination of
161 no hazard from the proposed 7-story building height in the PD.
162
- 163 N. As part of development plan review for the proposed parking structure, the
164 owner/developer must demonstrate that the construction of a 7-story parking structure in
165 the PD will not cause helicopter flight paths to be modified in a manner that increases the
166 frequency of flights over the single-family areas to the east of the PD.
167
- 168 O. A landscape management plan concerning invasive exotic species control within the surface
169 water and buffer areas must be submitted and approved prior to receiving a certificate of
170 occupancy (CO) for the proposed parking structure.
171
- 172 P. The existing pond, the walking/jogging trail around its perimeter, and all trees and
173 landscaping within 50 feet of the water's edge must be maintained and preserved, except
174 for the running of utility lines.
175
- 176 Q. No buildings may be constructed, and the trees, undergrowth or landscaping must be
177 preserved and maintained, in areas with a future land use designation of Recreation (as
178 identified on the PD Layout Plan.)
179
- 180 R. Necessary utility lines may be placed through the buffer/setbacks and the areas with a
181 future land use designation of Recreation (as identified on the PD Layout Plan.)
182
- 183 **SECTION 3.** The conditions and requirements in this ordinance will remain effective until such
184 time as, upon either the City or the property owner(s) filing an application for rezoning, the City
185 adopts an ordinance rezoning the subject property to another zoning district consistent with the
186 Comprehensive Plan and Land Development Code.

187 **SECTION 4.** The City Manager or designee is authorized and directed to make the necessary
188 changes to the Zoning Map Atlas to comply with this ordinance.

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

194 **SECTION 6.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
195 conflict hereby repealed.

196 **SECTION 7.** Alachua County Resolution No. Z-92-29 and City of Gainesville Ordinance Nos.
197 950702, 951321, 002675, and 030755 are hereby superseded and repealed to the extent that
198 they regulate the property described in Section 1 of this ordinance. All other ordinances or
199 parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

200 **SECTION 8.** This ordinance shall become effective immediately upon adoption.

201 **PASSED AND ADOPTED** this _____ day of _____, 2018.

202
203
204
205
206

LAUREN POE
MAYOR

207 **Attest:**

Approved as to form and legality:

208
209

OMICHELE D. GAINEY
CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

212
213
214

This ordinance passed on first reading this _____ day of _____, 2018.

This ordinance passed on second reading this _____ day of _____, 2018.

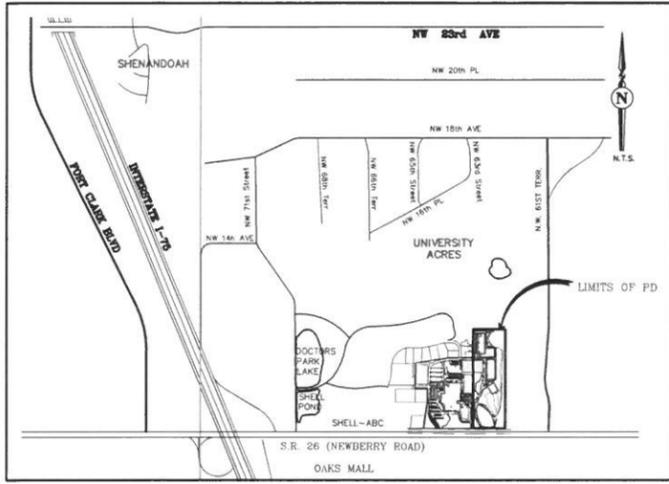
LEGAL DESCRIPTION

A PORTION OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 19 EAST AND RUN THENCE SOUTH 89°23'10"EAST ALONG THE SOUTH LINE OF SAID SECTION 33 A DISTANCE OF 362.15 FEET; THENCE NORTH 06°20'54"EAST, 50.25 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 26 (NEWBERRY ROAD) AND THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 798, PAGE 534 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE SOUTH 89°23'10"EAST, ALONG SAID RIGHT- OF-WAY LINE AND ALONG THE SOUTH BOUNDARY OF SAID PARCEL (O.R. 798, PAGE 534) A DISTANCE OF 739.76 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL (O.R. 798, PAGE 534) AND THE POINT OF BEGINNING, THENCE NORTH 00°14'09"EAST ALONG THE EAST BOUNDARY OF SAID PARCEL (O.R. 798, PAGE 534) AND ALONG A NORTHERLY EX- TENSION OF SAID EAST BOUNDARY 1100.00 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF NORTH FLORIDA REGIONAL DOCTORS OFFICE PARK AS PER PLAT THEREOF RECORDED IN PLAT BOOK "H", PAGE 81 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE CONTINUE NORTH 00°14'09"EAST, ALONG THE EAST BOUNDARY OF SAID NORTH FLORIDA REGIONAL DOCTORS OFFICE PARK A DISTANCE OF 426.67 FEET; THENCE SOUTH 87°09'14"EAST, 499.41 FEET TO THE WEST BOUNDARY OF LOT 26 OF WEST HILLS AS PER PLAT THEREOF RECORDED IN PLAT BOOK "E", PAGE 11 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE SOUTH 00°14'09"WEST ALONG THE WEST BOUNDARY OF SAID WEST HILLS A DISTANCE OF 1507.20 FEET TO SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 26; THENCE NORTH 89°23'10"WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 499.40 FEET TO THE POINT OF BEGINNING. CONTAINING 17.39 ACRES, MORE OR LESS.

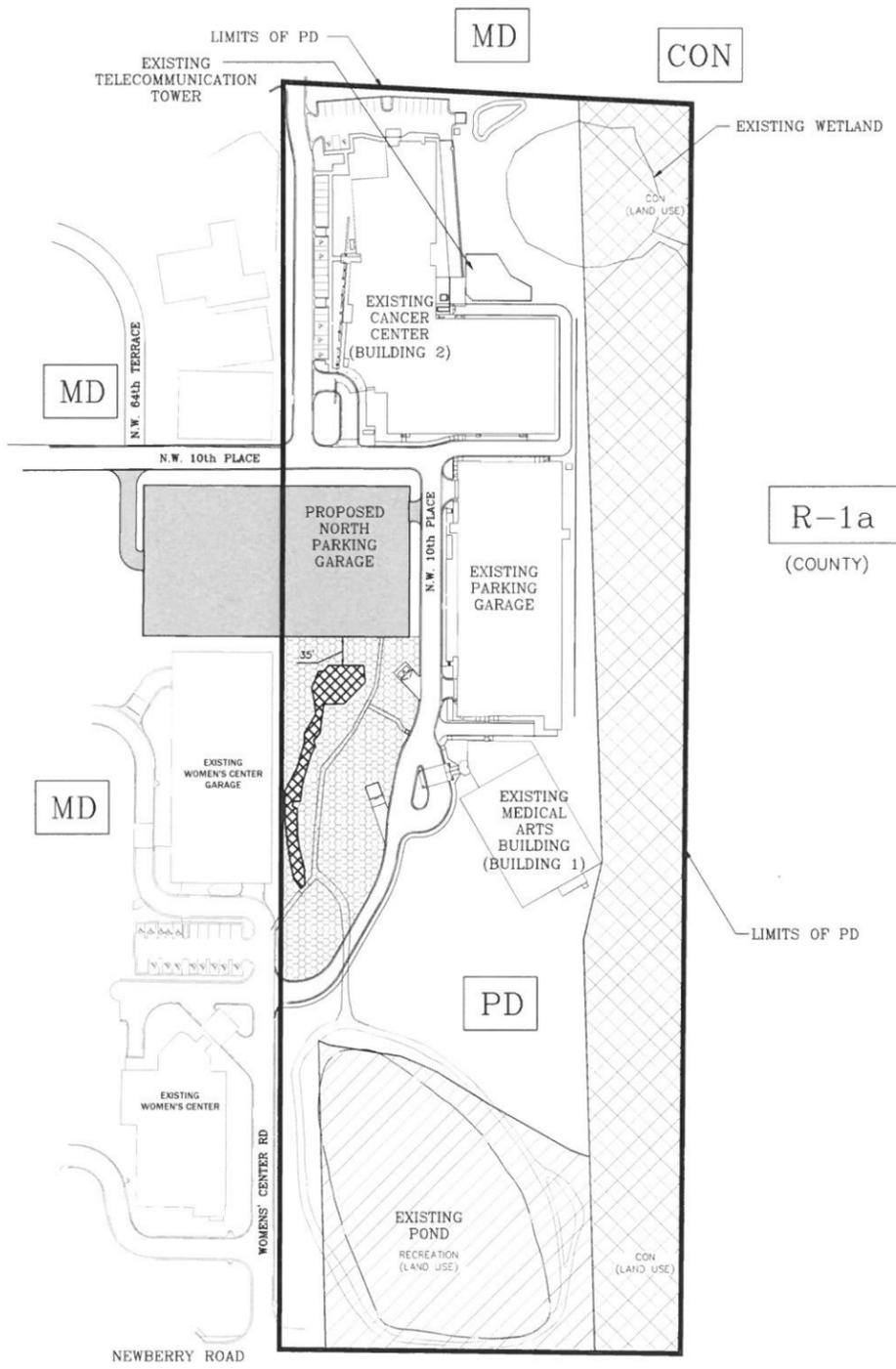
NORTH FLORIDA REGIONAL MEDICAL CENTER

P.D. LAYOUT PLAN

CITY OF GAINESVILLE, FLORIDA



LOCATION MAP
N.T.S.

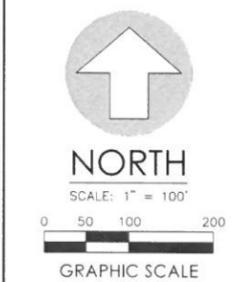


PD DEVELOPMENT DATA		
MAXIMUM GROSS FLOOR AREA = 170,000 SF		
BUILDING	EXISTING SQUARE FOOTAGE	NOTE
1	59,995 S.F.	MEDICAL ARTS BUILDING (M.A.B.)
2	96,500 S.F.	CANCER CENTER
TOTAL:	156,495 S.F.	

LEGEND

	CITY LAND USE MAP DESIGNATION: RECREATION
	CITY LAND USE MAP DESIGNATION: CON
	SURFACE WATER (0.13± AC)
	SURFACE WATER BUFFER AREA (1.24 AC)
	LIMITS OF PD
	EXISTING ZONING (COUNTY)
	EXISTING ZONING (CITY)

- NOTES**
- SQUARE FOOTAGES ASSOCIATED WITH STRUCTURED PARKING OR ACCESSORY STRUCTURES FOR THE TELECOMMUNICATIONS TOWER SHALL NOT COUNT AGAINST THE MAXIMUM ALLOWABLE BUILDING SQUARE FOOTAGE.
 - THIS P.D. IS LOCATED IN ZONE B OF THE CITY'S TMPA.
 - THE PROPOSED LOCATION OF THE NORTH PARKING GARAGE AND SURFACE WATER BUFFER AREA, AS SHOWN ON THE P.D. LAYOUT PLAN, IS APPROXIMATE. THE EXACT LOCATION SHALL BE DETERMINED AT THE DEVELOPMENT PLAN STAGE.



No.	Date	Comment

This item has been digitally signed and sealed using a digital signature.
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Professional Engineer of Record:

Sergio J. Reyes, P.E. 47311
Engineer Certificate No.

Project No: 18-002
Project phase: CITY SUBMITTAL

Project title: NORTH FLORIDA REGIONAL MEDICAL CENTER

Sheet title: P.D. LAYOUT PLAN

Designed: CS	Sheet No.:
Drawn: JB	C1.00
Checked: CS	
Date: 07/06/2018	