

**LEGISLATIVE #**

**211143A**



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

32 **WHEREAS**, on March 27, 2006, the City Commission adopted Ordinance No. 050487, which  
33 rezoned to Planned Development District (PD) the property that is the subject of this  
34 ordinance; and

35 **WHEREAS**, this ordinance, which was requested by the owner(s) of the property that is the  
36 subject of this ordinance and which was noticed as required by law, will amend Ordinance No.  
37 050487 and the Planned Development District (PD) zoning applicable to the subject property;  
38 and

39 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of  
40 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency  
41 pursuant to Section 163.3174, Florida Statutes, held a public hearing on April 28, 2022, and  
42 voted to recommend that the City Commission approve this PD zoning ordinance; and

43 **WHEREAS**, an advertisement no less than two columns wide by ten inches long was placed in a  
44 newspaper of general circulation and provided the public with at least seven days' advance  
45 notice of this ordinance's first public hearing to be held by the City Commission; and

46 **WHEREAS**, a second advertisement no less than two columns wide by ten inches long was  
47 placed in the aforesaid newspaper and provided the public with at least five days' advance  
48 notice of this ordinance's second public hearing to be held by the City Commission; and

49 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings

50 the parties in interest and all others had an opportunity to be and were, in fact, heard; and  
51 **WHEREAS**, the City Commission finds that the rezoning of the subject property is consistent  
52 with the City of Gainesville Comprehensive Plan.

53 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**  
54 **FLORIDA:**

55 **SECTION 1.** Section 4 of Ordinance No. 050487 is amended as follows. Except as amended  
56 by this ordinance, the remaining provisions of Section 4 of Ordinance No. 050487 remain in full  
57 force and effect.

58 Section 4. The following additional conditions, restrictions and regulations shall apply  
59 to the development and use of the land:

- 60
- 61 1. Except as expressly provided in this ordinance, the Planned Development shall be  
62 governed as if it were zoned BUS (General business district).  
63
- 64 2. The permitted uses are ~~only~~ those uses permitted by right within the BUS: General  
65 business district, and also including mini-warehouses, self-storage as a permitted use  
66 by right in the development.  
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- 68 ~~11. The owner/developer shall construct a bus shelter that is architecturally compatible~~  
69 ~~with the building constructed on the subject property. The bus shelter shall be placed~~  
70 ~~on or off site in a location that is accessible to the existing City bus stop within the~~  
71 ~~Northwest 23<sup>rd</sup> Terrace right of way. In either case, the bus shelter shall be subject to~~  
72 ~~the review and approval of the City's Director of the Regional Transit System.~~  
73 ~~Construction of the bus shelter shall be completed prior to the issuance of any~~  
74 ~~Certificate of Occupancy for any building on the subject property.~~  
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76 **SECTION 2.** Exhibit B to Ordinance No. 050487, titled "Shoppes at Pinewood Planned  
77 Development Report," is amended as follows. Except as amended by this ordinance, the  
78 remaining provisions of Exhibit B to Ordinance No. 050487 remain in full force and effect.

79 B. Compliance with Zoning Objectives, Goals & Policies of Comprehensive Plan and Future  
80 Land Use Map.

81 3. Zoning Objectives & Justification for Rezoning

82 Some of the proposed uses allowed within the PD are as follows:

83 Eating places, Outdoor café, Places of religious assembly, Veterinary services, Repair  
84 service for household needs, Printing, publishing and related services, U.S. Postal  
85 service, Communications, Paint, glass and wallpaper stores, Hardware stores, Retail  
86 nurseries, lawn & garden supply stores, General merchandise stores, Food stores, Auto  
87 and home supply stores, General merchandise stores, Food stores, Auto and home  
88 supply stores, Apparel and accessory stores, Home furniture, furnishings and  
89 equipment stores, Carpet, tile and floor coverings stores, Miscellaneous retail, Finance,  
90 insurance and real estate services, Retail banking services, Personal services, Business  
91 services, Miscellaneous services, Motion pictures, Amusement and recreation services,  
92 Sporting goods stores and bicycle shops, Health services, Legal services, Educational  
93 services, Social services, Museums and art galleries, Membership organizations,  
94 Engineering, accounting, research, management and related services, Alcoholic  
95 beverage establishments, associated drive-through facilities, mini-warehouse/self-  
96 storage facility, and accessory uses customarily incidental to a permitted principal use.

97

98 C. Statistical Information

99 1. Total Site acreage: 5.28 ac +/- (229, 945 SF +/-)

100 2. Maximum Building Area: ~~20% of Total Site Area~~ 90, 000 ~~46,000~~ SF

101 3. Maximum Impervious Ground Coverage: 60% of Total Site Area (138,000 SF)

102 4. Minimum open space: 40% of the Total Site Area

103 5. Land Uses Allowed: All uses listed ~~on page 3 above~~ and uses allowed in the BUS zoning  
104 district, and mini-warehouse/self-storage use

105 6. Building Area Allowable: 90,000 ~~46,000~~ SF

106 7. Use Areas:

107 a. Building Area Footprint: no greater than 46,000 SF (1.06 ac)

108 (Based on Building Area definition per City Planning)

109 b. Parking & Sidewalk Area: 92,000 SF (2.11 ac).

110 8. Publicly owned usable open space, recreational area, and plazas: 0.0 ac.

111 9. Common area usable open space, recreational area, and plazas (Minimum area): 0% of  
112 mixed use area (0 SF)

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114 E. Design Standards for Off-Street Parking and Loading Facilities

115 1. Parking Required: Per City of Gainesville Land Development Code

116 2. Bicycle Parking: Per City of Gainesville Land Development Code

117 3. The minimum number of parking spaces required to be provided onsite is 1 space per  
118 250 SF of Leasable Floor Area of building constructed, except that for the mini-  
119 warehouse/self-storage use the parking standard shall be 5, or 1 for manager's area(s),  
120 plus 1 per 200 bays, whichever is greater.

121 4. The minimum number of bicycle parking spaces provided shall be 10% of the required  
122 vehicle parking.

- 123 5. Onsite parking spaces shall meet the dimensional requirement of the City of Gainesville  
124 Land Development Code.
- 125 6. Onsite parking spaces may consist of a maximum of 25% compact spaces.
- 126 7. Onsite parking areas shall provide the required handicap accessibility spaces in  
127 accordance with the State of Florida handicap accessibility code.
- 128 8. Loading spaces shall be provided as required in the City of Gainesville Land  
129 Development Code.
- 130 9. Curbing is required around all landscape islands.
- 131 10. All pedestrian walkway curb cuts shall be handicap accessible.

132  
133 **SECTION 3.** The City Manager or designee is authorized and directed to make the necessary  
134 changes to the Zoning Map Atlas to comply with this ordinance.

135 **SECTION 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or  
136 the application hereof to any person or circumstance is held invalid or unconstitutional, such  
137 finding will not affect the other provisions or applications of this ordinance that can be given  
138 effect without the invalid or unconstitutional provision or application, and to this end the  
139 provisions of this ordinance are declared severable.

140 **SECTION 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of  
141 such conflict hereby repealed.

142 **SECTION 6.** This ordinance will become effective immediately upon adoption.

143 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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\_\_\_\_\_  
LAUREN POE  
MAYOR

Attest: Approved as to form and legality:

\_\_\_\_\_  
OMICHELE D. GAINEY  
CITY CLERK

\_\_\_\_\_  
DANIEL M. NEE  
INTERIM CITY ATTORNEY

155 This ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

156 This ordinance passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2022.