

TO: City Plan Board **Item Number: 8**

FROM: Planning & Development Services Department **DATE: October 22, 2015**
Staff

SUBJECT: Petition PB-15-92 PDA Causseaux, Hewett, & Walpole, Inc., agent for S. Clark Butler Properties Land Trust. Amend Planned Development Ordinance 121108 to revise the Town Center requirements, PD Development Standards, and other standards related to the development of the PD, and amend the PD layout map to include tax parcel 06810-001-020. Related to PB-15-91 LUC, PB-15-93 ZON and PB-15-102 CPA

Recommendation

Approve Petition PB-15-92 PDA, as modified and agreed to by the applicant.

Description

This is request by S. Clark Butler Properties Land Trust to revise standards and requirements related to the overall development of the Planned Development. While the applicant did not provide any specific explanations for the proposed changes within their application, staff discussed each of the proposed changes with the applicant's agent. Based on staff's review the proposed changes will not increase the intensity of development or impact the levels of services anticipated when the Planned Development was approved. Staff will highlight each of the proposed changes and provide a response to each below, the Page numbers indicates where you can find the proposed change in the attached Planned Development Report (Exhibit 1).

Page 1

On April 28, 2008, Butler Enterprises and adjacent properties were voluntarily annexed into the City of Gainesville via Ordinance 070722. On January 5, 2012, the City Commission approved the current Butler Plaza PD via Ordinance 090538. On November 21, 2013, the Butler Plaza PD was then amended by Ordinance 121108 to add several additional outparcels along Archer Road, and to revise the overall layout and other development requirements. Two separate applications added one more Archer Road outparcel (site of Olive Garden restaurant) to the Butler PUD and PD. This proposed PD amendment now seeks to make minor revisions and updates to certain requirements in this report. Generally, the current PUD and PD entitle the development for a mix of commercial, retail, service, office, hotel, and residential uses. These entitlements remain unchanged, as illustrated by Table 1 below:

Table 1: Entitlements

<u>Use</u>	<u>Current</u>	<u>Proposed</u>
Commercial	2,500,408 square feet	2,500,408 square feet
Office	250,000 square feet	250,000 square feet
Hotel/Motel	500 rooms	500 rooms
Multi-family	1,000 units	1,000 units

Because there are no increases in previously afforded entitlements, the PD does not increase demand for services, alter the impacts on external roadways, or increase demand for transit services. Therefore, there is no need for significant modifications of previously agreed to development, transit, and Transportation Concurrency Exception Area (TCEA) agreements.

Staff Response: *The amended language in this revision appears to be added to bring the overall PD up- to- date.*

Page 6

Town Center Requirements

Town Centers are required to be organized around at least one ‘main street’ (consistent with the cross section in Attachment II to this PD Report) and must be developed consistent with the ‘Town Centers and Subarea 3 Standards’ in Table 6. Town Centers may be developed in any Subarea; however, Subarea 3 must be developed as a Town Center. Upon completion of 550,000 square feet of new development within Subareas 1 and/or 2, no additional new development in Subareas 1 or 2 may occur until at least 100,000 square feet of existing building area in Subarea 3 has been demolished, as part of an approved development plan which includes 50,000 square-feet of new building square footage., consistent with the requirements in Table 8, is under construction in Subarea 3. With any development plan for the removal and replacement of a building in Subarea 3, a Town Center Master Plan shall be submitted to the City, showing the general locations of streets, buildings, and parking areas. The Town Center Master Plan shall be reviewed by the same reviewing board as the development plan. Subsequent development plans shall demonstrate compliance with the Town Center Master Plan.

Table 5: Town Center Minimum Entitlements

<u>Use</u>	<u>Minimum Square Feet</u>
Commercial	200,000 square feet
Office	5,000 square feet
Hotel/Motel	No Minimum
Multi-family	No Minimum

Staff Response: *The current language limits the specified amount of square footage (550,000 square feet) of development that can be completed in Subarea 1 and/or 2 (large scale retail areas) until at least 50,000 square feet of new building in the Town Center is built. The purpose of the requirement was to ensure that the Town Center would start within a reasonable timeframe in relationship to the large scale retail areas. The applicant has submitted development plans for the Town Center portion of the development and would like to eliminate the cap on development in Subareas 1 and 2. The applicant is proposing that the demolition of 100,000 square feet of developed square footage is an indication of their commitment to build the Town Center. The*

applicant has also indicated that the overall goal is to open the Town Center all at once as a completed Center. Based on staff's conversation with the applicant and details of the development plans that have been submitted to staff, staff is not concerned about the phasing of the Town Center development.

Page 8 and 9

7. One or more usable parks, squares, or plazas totaling at least 2 acres (with none less than 10,000 square feet) shall be provided within the PD. These parks, squares or plazas shall be constructed, owned and maintained by the Developer (S. Clark Butler Properties LTD and their successors and assigns).
8. When ~~fronting~~ facing a public or private street, or main street, each use is required to provide a functional main entrance facing the street.
 - ~~A main entrance shall be indicated on the floor plan with the placement of atriums, lobbies, or other entry/greeting areas at the entrance.~~
 - ~~A main~~ The entrance shall also be indicated on building elevations through the inclusion of awnings, arcades, porches, archways or similar entry features, and by providing a level of architectural detailing that is comparable to other entrances.
 - Where a use has facades on two street frontage facades, an entrance is only required to face one of the streets.~~only one main entrance is required.~~
 - Corner entrances that are diagonally facing the street are acceptable to satisfy this requirement.
 - ~~Main~~ These entrances shall provide a minimal amount of cover from weather in the form of a recess, awning, or similar feature.
12. Mechanical equipment shall be located behind screen walls, interior to buildings, or on building roofs, and screened from public view.

Staff Response: *It appears that the applicant is requesting to eliminate the requirement to have a main entrance on public, private and main streets. The applicant is requesting to substitute a functional entrance for a main entrance, staff is not sure what the difference is in this situation. The proposed change would also eliminate the requirement to have an entrance along all street frontages. Based on the development plans that have been submitted for review by the staff the entrances to the building have faced the parking lots along maneuvering lanes. The most important area of the development from a pedestrian/accessibility standpoint will be the main street areas, and the proposed change ensures that there will be a functional entrance.*

The proposed change as it relates to mechanical equipment would allow this equipment to be located anywhere on the development site as long as it is located behind a screen wall.

Page 10

15. There is a maximum perimeter block length of 2,000 feet for Subareas 2, 3, and 4. Within Subarea 1, the perimeter block length cannot exceed 3,200 feet. For purposes of the PD, "block" means a lot or lots surrounded by public streets, private streets, maneuvering lanes, main streets, pedestrian streets, multi-use paths as shown on the PD Layout Map, or within Subareas 1 and 2 only, adjacent (Non-PD) property. For

Subarea 4, the maximum perimeter block length requirement becomes effective upon cumulative removal and replacement of 50% or more of the existing building footprint (i.e. complete demolition and replace of buildings) or cumulative development of 25% new building square footage. Interior renovations to existing buildings, façade upgrades, and additions to existing buildings do not constitute removal or replacement of an existing building footprint. At the time a development plan is submitted that trips one of these thresholds, a master plan shall be submitted that shows the general locations of new streets in the subarea.

16. Maneuvering lanes shall be allowed in all subareas and shall contribute to the internal grid-system framework. Maneuvering lanes shall be defined as vehicle use areas that connect off-street parking areas and that provide sidewalks and street trees on at least one side. On the side of a maneuvering lane that includes sidewalks and street trees, perpendicular vehicular access to parking areas shall be separated by at least 180 feet as measured from center-line to center-line in order to enhance pedestrian comfort and safety. If a sidewalk and street trees are provided on only one side of a maneuvering lane, parking shall be allowed along only one side. If a sidewalk and street trees are provided on both sides of a maneuvering lane, parking shall be allowed along both sides.
17. With the exception of ‘main streets’, pedestrian streets, and maneuvering lanes, all private streets shall be constructed and maintained to public right-of-way standards.

Staff Response: *It appears the applicant added the pedestrian street to allow an alternative street type to help meet the minimum block size requirement. The pedestrian street is proposed in the Town Center as a 20 feet wide street with a drainage collection area that varies with a minimum 5 feet landscape zone. As currently proposed there will be no entrances from building to this corridor. The corridor as proposed will provide pedestrian and emergency access to some back of house type facilities (parking and accessory uses).*

Page 11

21. Applications for modifications to Windmeadows Boulevard and/or Butler Boulevard (SW 35th Boulevard) that require development review and/or City Commission review and/or that may temporarily or permanently affect ingress and egress to or through Subareas 3 or 4 shall require the signature or written consent of both ~~Regency Windmeadows Limited Partnership~~ Esplanade Capital, LLC and S. Clark Butler Properties LTD or their successors and assigns.

Staff Response: *This is a simple name change for one of the parties to the PD.*

Page 12

Subarea 2- Minimum Public/Private Street Building Frontage:

50% along SW 24th Avenue; ~~30%~~25% along SW 62nd Blvd between Windmeadows Blvd and the multi-use path; and

~~50%~~45% along SW 38th Terrace for the first 1,000 linear feet extending north/northeast from SW 62nd Blvd.

Town Centers & Subarea 3 – Public /Private Street Build-to-line (measured from back of curb):

10 feet – ~~15~~ 25 feet (footnote 3)

Footnote 3

Porte cocheres or covered drop-off areas may be located closer than 10', providing that the majority of a building maintains the minimum build-to-line requirement. Build-to-lines may be adjusted to accommodate plazas or outdoor seating such as in the case with restaurants or coffee shops, to accommodate existing utility lines, or to preserve existing high-quality heritage trees.

Staff Response: *Staff does not have any concerns about changes proposed to this section.*

Page 14

Unified Master Signage Plan

All new signage shall comply with the Master Signage Plan adopted as ordinance 140501., at a minimum, meet the City's sign regulations in effect at the time of development plan approval. All proposed signs shall be classified as a sign type identified in the City's sign regulations and shall meet the maximum sign dimensions, area, and other design standards for that type of sign, with the following exceptions:

1. Any application for proposed signs or modifications to signage jointly shared by ~~Regency Windmeadows Limited Partnership Esplanade Capital, LLC~~ and S. Clark Butler Properties LTD or their legal successor and/or applications modifying signage for their respective tenants, specifically including the multi-tenant sign located at the intersection of Butler Boulevard (also known as SW 35th Boulevard) and Archer Road, shall include the signature or written consent of co-applicants ~~Regency Windmeadows Limited Partnership Esplanade Capital, LLC~~ and S. Clark Butler Properties LTD, or their legal successors.
2. Existing non-conforming signs within Subareas 3 and 4 are allowed to change the face of signs without reducing the sign dimensions or reconstructing the entire sign. Change of face is a sign change in which one of the following changes is made: only the plastic face of an internally lit sign cabinet is exchanged for a new face; or a painted sign is repainted with no overall increase in sign area.
3. ~~No freestanding signs (other than pedestrian directory signs and vehicular directional Signs) shall be permitted along the main street within a Town Center.~~
4. ~~Any businesses within the PD may be advertised on one of three monuments signs Located near the intersections of Archer Road/SW 62nd Boulevard, Archer Road/Butler Boulevard, and Windmeadows Boulevard/SW 34th Street.~~
5. ~~The following signs, unique to this PD, do not require a sign permit and shall not be counted against the maximum signage otherwise allowed for the PD pursuant to this Ordinance or the Land Development Code..~~ THE REMAINDER OF THE SIGN SECTION IS ALSO DELETED.

Staff Response: *The City Commission approved a Master Signage Plan for the development and the proposed changes are consistent with the approved plan.*

Page 15

Tree Preservation and Landscaping

Tree preservation should be an integral part of the PD. Except as specifically provided in this Ordinance, all new development within the PD will, at a minimum, meet the City's tree preservation regulations in effect at the time of development plan approval.

1. Within Subareas 1 and 2: At least 25% of the high quality Heritage Live Oaks in excellent or good condition as identified on the September 4, 2009 Qualitative Tree Survey that are located in the undeveloped areas within the PD shall be preserved. Trees that are located within proposed or existing street rights-of-way shall be included in this calculation. Of the trees required to be preserved, at least 37 trees should be located within Subareas 1 and 2 identified on the PD Layout Map. With each development plan approval, it must be demonstrated that the minimum 25% tree preservation standard has been met with the combined developments at that point.
2. Within Subareas 3 and 4: High-quality Heritage Live Oaks identified on the Qualitative Tree Survey that are in existence as of the date of the adopted PD Ordinance within Subarea 3 and 4, as well as the existing High-quality Heritage Live Oaks along Windmeadows Boulevard, shall be preserved, except where the ~~removal~~ preservation of individual trees is approved as part of a development plan determined to be infeasible at development plan review by the appropriate reviewing entity.
3. An area equal to $\frac{2}{3}$ of the area under the canopy drip line of Heritage Trees that will be preserved must be protected from significant grading changes (as determined by the City manager or designee), unless a water air exchange system or other measure deemed adequate by the City manager or designee is installed for the Heritage Tree. A certified arborist must be present during construction activities that require mechanical construction equipment and are occurring within the $\frac{2}{3}$ drip line as defined herein.

Staff Response: *The proposed change eliminates the protection that would have allowed for the preservation of the regulated trees not just high-quality heritage live oaks that were already protected. It is staff opinion that the applicant should have to comply with the City's Tree Ordinance for the removal of regulated live oak trees. The applicants has agreed to comply with the Tree Ordinance.*

Page 17 and 18

Stormwater Management Facilities

Stormwater facilities serving individual buildings or developments are allowed within all subareas. Final stormwater locations shall be determined based on a master stormwater plan to be prepared by the Developer (S. Clark Butler Properties LTD and their successors and assigns) and subject to review and approval by the City. Submittal of a master stormwater plan must include the signature or written consent of co-applicants ~~Regency Windmeadows Limited Partnership~~ Esplanade Capital, LLC and S. Clark Butler Properties LTD, or their successors and Assigns

3. During development plan review, each new development (excluding public right-of-way and private streets), shall demonstrate the use of Low Impact Design (LID) Best Practices stormwater techniques or techniques contained within a published or professionally recognized LID manual. Each development within the PD that includes new building square footage shall be designed to ensure that at least 25% of the runoff from parking areas is pre-treated before discharge to the master system using a LID, which shall be enforced on an individual parcel level during development plan review. On-street parking provided along public streets, private streets, maneuvering lanes, or main streets within the development shall be exempt from this requirement. From the time LID system components are installed, the property owner shall thereafter be responsible for the maintenance of the LID system components in good and working order.
4. Within all development in the PD, impervious areas shall be reduced by utilizing the minimum sizes for parking spaces and drive aisles where feasible.

Staff Response: The Public Works Department had no concerns regarding this proposed change.

Pages 18, 19 and 20

Development Schedule

Timing of infrastructure improvements/modifications are based on development thresholds, some of which have been memorialized in the executed Transportation Concurrency Exception Area (TCEA) Agreement.

S. Clark Butler Properties LTD and their successors and assigns, which for the purposes of this PD Report are referred to as “Developer” shall, at its sole expense, complete infrastructure and improvements at the following development stages:

~~a. Prior to adoption of this PD Ordinance on 2nd reading, amend or re-execute an Agreement to Construct Transit Transfer Station and Park and Ride.~~

b.a. The Developer, at no cost to the City, shall convey to the City lands for the following rights-of-way, the timing of which is subject to the ensuing conditions contained herein:

1. SW 62nd Boulevard extension from the PD’s western boundary to SW 33rd Place;

~~d.c.~~ Prior to the issuance of the first certificate of occupancy (CO) for any new building in Subarea 1 or 2, or upon the cumulative addition of five hundred (500) net, new p.m. peak hour trips of adjacent street traffic associated with development plans in Subareas 3 and 4, as determined using the latest edition of the ITE Trip Generation Manual; at that time:

~~1. The Developer shall construct a southbound left turn lane at the Archer Road/I-75 interchange, subject to review and approval by the Florida Department of Transportation (FDOT), or execute an agreement with FDOT for the FDOT to construct or have constructed the appropriate Archer Road/I-75 interchange~~

~~modifications as determined by FDOT staff.~~

Staff Response: *The agreement to construct the Transit Transfer Station and the Park and Ride have been executed. FDOT has agreed to build southbound lane at the Archer RD/I-75 interchange at their expense (see attached FDOT letter Exhibit 3).*

2.1. The Developer shall construct a transit transfer station and a 50-space park-and ride lot (with landscaping and pedestrian connections to the transfer station) with two (2) access points on public streets. Upon inspection and acceptance by the City, the Developer shall convey the transit transfer station and the 50-space park-and-ride lot to the City, at no cost to the City. The Developer shall pay all costs associated with the transfer.

- c. The addition of two (2) bus bays with shelters shall be developed at the Developer's expense along Windmeadows Boulevard within proximity to and/or part of Subarea 3. Each bus bay will be designed to accommodate the stacking of two (2) rigid or one (1) articulated bus. A safe crossing of Windmeadows Boulevard shall also be provided at a location to be approved by RTS. The cost of these bus bays and shelters shall be creditable toward the transit proportionate fair share, required per the TCEA Zone M Agreement executed on January 3, 2012 (as modified by the Addendum executed on November 29, 2012).

Staff Response: *The applicant has agreed to delete this request.*

3.2. The Developer shall construct and upon inspection and acceptance by the City, convey (if a public right-of-way) to the City, at no cost to the City, the following:

- a. SW 62nd Boulevard extension from Archer Road to the PD's western boundary, including all of the required intersection modifications at Archer Road, Windmeadows Boulevard/SW 33rd Place, SW 42nd Street, SW 38th Terrace, SW 30th Terrace, and at the temporary realignment of SW 43rd Street. SW 62nd Boulevard extension shall be constructed consistent with the intent of the Metropolitan Transportation Planning Organization (MTPo) design elements included in the approved Alternative 4-B3 dated March 2, 2009, with the exception of dedicated transit lanes. The Developer shall provide at no cost to the City the right-of-way for the dedicated transit lanes consistent with the MTPo design. If the Developer elects to defer construction of the dedicated transit lanes within the SW 62nd Boulevard extension right-of-way from the PD's western boundary to Windmeadows Boulevard, the Developer shall provide the City with security in one of the forms specified in Sec. 30-186 of the City's Land Development Code (as that section may be amended or renumbered from time to time) and such security shall be equal to 120 percent of the estimated cost of construction for the dedicated transit lanes. Such security is required to ensure construction shall occur no later than the construction of dedicated transit lanes on SW 62nd Boulevard extension between SW 24th Avenue and SW 20th Avenue.

Staff Response: *The applicant and staff agree to the change as proposed.*

Page 21

- 4.3. If all of the specific improvements lettered a – e above are under construction and all are within three months of being completed ~~(except for the dedicated transit lanes which may be deferred as set forth in 1)~~, as determined by the City Public Works Department, a CO may be issued for any development provided the Developer provides the City with security in one of the forms specified in Sec. 30-186 of the City’s Land Development Code (as that section may be amended or renumbered from time to time) and such security is equal to 120 percent of the estimated costs of the remaining construction, and further provided the necessary traffic control signage is installed if the roadway is sufficiently complete to be open to traffic.

Staff Response: *See comment above.*

Page 22

3. Operational and safety modifications (OSM) to the intersections of ~~SW 34th Street and Windmeadows Boulevard, SW 34th Street and SW 24th Avenue, SW 34th Street and SW 20th Avenue~~, Archer Road and SW 40th Boulevard, and SW 40th Boulevard and SW 42nd Street. All OSM shall be based upon an updated traffic study prepared by the Developer, subject to review and approval by the City’s Public Works Department and/or FDOT; and
4. If all of the specific improvements numbered 1 - 3 above are under construction and all are within three months of being completed, as determined by the City Public Works Department, a CO may be issued for any development provided the Developer provides the City with security in one of the forms specified in Sec. 30-186 of the City’s Land Development Code (as that section may be amended or renumbered from time to time) and such security is equal to 120 percent of the estimated costs of the remaining construction, and further provided the necessary traffic control signage is installed if the roadway is sufficiently complete to be open to traffic.
- f. Additional operational and safety improvements (OSM) to the intersections of SW 34th Street and Windmeadows Boulevard and SW 34th Street and SW 24th Avenue shall be addressed within a Developer’s Agreement that shall be approved prior to 2nd reading of this ordinance.

Staff Response: *It is staff’s recommendation that the word “Additional” be deleted from f. above. The applicant has agreed to this change.*

- m. With the first development plan review for the removal and replacement of 50,000 square feet of building area in Subarea 3, the Developer shall construct at least one mid-block textured pedestrian crosswalk (with curb ramps) across Windmeadows Boulevard. The design and location of this crosswalk shall be determined by the City Planning and Public Works Departments during development plan review.
- ~~n. — When the cumulative net, new average daily trip generation threshold reaches 9,775 trips based on the latest edition of the ITE Trip Generation Manual at that time, the Developer shall commence an Interchange Modification Report (IMR) for the Archer Rd/I-75 interchange, consistent with Florida Department of Transportation IMR typical procedures. The IMR shall be completed within 18 months from when it is commenced.~~

Staff Response: This issue will be addressed by FDOT.

Respectfully Submitted,



Ralph Hilliard,
Planning Manager

List of Appendices

- Exhibit 1 Butler Enterprises Planned Development Report
- Exhibit 2 Application
- Exhibit 3 FDOT letter