

**13th Street Mixed-Use PD Amendment – recommended City Plan Board conditions
(shown as strikethrough/underline of existing PD conditions)**

1. The permitted uses by right are as listed below. The GN, MG and Div. numbers are references to the Standard Industrial Code Classification of Uses, 1987 Edition and the references to articles are to the requirements stated in that article as set forth in the City's Land Development Code, as may be amended or renumbered from time to time.

SIC	Uses	Conditions
	Rowhouses	
	Multi-family dwellings (up to 100 units per acre).	An additional 25 units per acre may be added by special use permit
	Incidental residential accessory uses, including storage rooms, management offices, club or game rooms, and recreational and laundry facilities intended for use solely by the residents of the developments and their guests.	
	Consolidated apartment management offices	
	Bed and breakfast establishment	In accordance with article VI
	Day care center	In accordance with article VI
	Places of religious assembly	In accordance with article VI
	Outdoor cafes	In accordance with article VI
	Eating places	
	Research and Development in the Physical, Engineering and Life Sciences	
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
MG-43	U.S. Postal Service	
GN-471	Arrangement of passenger transportation	Offices only, with no operation of passenger tours on site.
MG-53	General merchandise stores	
MG-54	Food stores	Excluding gasoline pumps
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishing, and equipment stores	
MG-59	Miscellaneous retail	Excluding GN598 Fuel Dealers
Div. H	Finance, insurance and real estate	Excluding cemetery subdividers and developer (IN-6553)
MG-72	Personal services	Including funeral services and crematories in accordance with article VI and excluding industrial laundries (IN-7218)
MG-73	Business services	Excluding outdoor advertising services (IN-7312), disinfecting and pest control services (IN-7342), heavy construction equipment rental and leasing (IN7353), and equipment rental and leasing, not

		elsewhere classified (IN-7359)
GN-525	Hardware stores	
GN-701	Hotels and motels	
GN-752	Automobile parking	
MG-78	Motion picture	
MG-80	Health services	
MG-81	Legal services	
MG-82	Educational services	
MG-84	Museums, art galleries, and botanical and zoological gardens	
MG-86	Membership organization	
MG-87	Engineering, accounting, research, management, and related services	

2. The permitted uses shall be further restricted within Zones A, B and C as depicted and described in the PD Layout Plan and the PD report.

3. Drive-through facilities are prohibited. Drive-through facilities are defined as facilities that provide services mechanically or personally to customers who do not exit their vehicles, examples include, but are not limited to, banking facilities, payment windows, restaurant, food and/or beverage sales, dry cleaning and express mail services. The following are not considered drive-through facilities: auto fuel pumps and depositories which involve no immediate exchange or dispersal to the customer, such as mail boxes, library book depositories, and recycling facilities.

4. The location of buildings shall be located as shown on the PD Layout Plan. Minor shifts in building location (up to ten feet) may be authorized during development plan review, consistent with other requirements. ~~No structures are allowed within Zone B as shown on the PD Layout Plan.~~

5. The building shall be constructed with the exterior design as generally depicted in the elevations in the PD Layout Plan Maps. ~~The exterior building material shall be brick on the first and second floors of the building and a combination of brick, precast, cast stone or stucco on the third floor and above. The roofing material shall be metal.~~ The façade of the parking structure shall be designed to be consistent with the general design, texture, and colors of the principal buildings. The owner/developer shall provide color elevations with notations as to building materials for review and approval during development plan review.

6. The development shall meet the Community Redevelopment Agency streetscape standards that are in effect at the time of development plan review for the design and materials for sidewalks, crosswalks, handicap ramps, bicycle racks, and other relevant streetscape fixtures. The location of elements of the streetscape (street trees, sidewalk, outdoor cafés and bus shelters) shall be provided within the Urban Areas identified on the PD Layout Plan. generally as depicted on the street cross sections in the PD Layout Plan Maps. A minimum unobstructed width of 5 feet shall be maintained along all street sidewalks. The required Urban Areas shall be measured from the back-of-curb to the building façade. The Urban Area along NW 13th Street shall be a minimum of 15 feet except where landscaping and/or street trees are provided then the Urban Area shall be a minimum of 20 feet. The residential floors (2-6) are permitted to extend up to six feet into the Urban Area along NW 13th Street.

Structural features such as arcade columns shall be permitted within the Urban Area along NW 13th Street. Urban Areas along NW 4th Avenue and NW 3rd Avenue shall be a minimum of 11 feet.

7. Bicycle parking spaces shall be provided along the streets and in appropriate locations internal to the site, at a rate of 1 space per every 4 bedrooms and 1 space per every 2000 feet of commercial or office floor area. The development shall also provide a minimum of 10 scooter spaces.

8. On all three street frontages, buildings shall provide a minimum of 50% glazing within the area between 3' and 8' above grade. This required glazing must be 80% transparent and shall not utilize painted glass, reflective glass or other similarly treated windows. Entrances with glazing may be counted toward meeting this minimum glazing requirement.

9. Individual uses on the ground floor shall provide functional entrances that face the street.

~~10. The first three high quality heritage trees per acre that are removed with the development shall provide a mitigation payment consistent with the requirements of the Land Development Code. The payment shall be provided prior to issuance of a certificate of occupancy. The 56-inch diameter Live Oak tree shall be preserved on the property within a surrounding unpaved area of at least 400 square feet and with such other requirements of the City as are set forth during development plan review. The surface parking spaces and drive aisle adjacent to the tree shall utilize pervious pavement. If deemed necessary by the City Manager or designee during development plan review, the development shall provide an air-water exchange system designed to provide water and air to the tree roots beneath the pavement.~~

11. Shade street trees as listed in the Gainesville Tree List (reaching at least 40 feet in height at maturity) shall be planted every ~~30-50~~ foot on average along the streets abutting the PD. ~~Understory trees may be substituted for shade trees within the canopy area of the 56-inch diameter Live Oak tree.~~

12. The vehicular entrances to the parking garage shall be located as shown on the elevations in the PD Layout Plan Maps. No vehicular access is permitted from NW 13th Street.

13. A minimum 4-foot wide pedestrian pathway shall be provided through the parking garage vehicular access in order to connect the sidewalks on NW 3rd Avenue and NW 4th Avenue.

~~14. A 15-foot wide Type C landscape buffer shall be planted along the site's eastern boundary. The Type C landscape buffer shall include a minimum of three (3) shade trees, three (3) understory trees, and 25 shrubs per 100 linear feet. A garden wall, with a minimum height of 8 feet, shall be constructed along the eastern property lines and along property lines where surface parking is adjacent to the street. The material of the wall shall be primarily brick, but may also incorporate stucco or cement materials, as reviewed and approved during development plan review. The wall shall be architecturally compatible with the adjacent development within the historic district and with the buildings constructed on the property.~~

15. The owner/developer shall at its expense, install an FDOT approved traffic separator on NW 13th Street from NW 3rd Avenue to NW 5th Avenue along the existing center turn lane. The traffic separator will generally be a 2-foot-wide concrete separator for the entire length with a full width median separator at the center of the block for a distance of approximately 100 feet. The final design of the traffic separator shall be subject to review and approval by the FDOT by permit.

16. Prior to receiving a certificate of occupancy, the owner/developer shall improve NW 12th Drive from NW 4th Avenue to NW 5th Avenue as stated below. These improvements are required due to operational or safety issues and will not count toward TCEA program requirements or other transportation mitigation program requirements.

- (1) The developer shall evaluate whether the typical section including pavement widths, thickness and the non-curbed condition can support the projected traffic loading for two-way travel. If found to be insufficient, the typical section shall be widened and a structural course overlay and curbing of the entire roadway length may be required.
- (2) A 6-foot-wide sidewalk shall be installed along one side of the street.
- (3) The northern terminus (approximately 25 feet) of the roadway shall be re-graded to eliminate the valley gutter and dip. Type F curb-and-gutter radius returns shall be installed at the intersection with NW 5th Ave.

17. Due to the development's location in the University of Florida Context Area, prior to final development plan approval ~~the second reading of this Ordinance~~, the owner/developer shall sign a revised Context Area Transit Agreement for the 468-proposed number of multi-family units that meets the Concurrency Management Element Policy 10.1.14 requirements. ~~In the event that multi-family units are substituted for non-residential square footage as allowed by the PUD ordinance, the owner/developer shall execute a new or amended Context Area Transit Agreement for the net, new multi-family units prior to issuance of the final development order.~~

18. Plans depicting construction staging areas must be provided during development plan review. Construction staging shall be contained on the property to the extent possible. The owner/developer shall notify the construction contractors that all construction vehicles shall enter the site only from NW 3rd Avenue or NW 4th Avenue via NW 13th Street, as approved by the City Public Works Department, and shall not travel to or from the site along the neighborhood streets to the east of the site.

19. If completion of the footer and vertical construction has not commenced within one year after the existing buildings have been removed from the site, the site shall be planted with grass and properly maintained.

20. The removal and relocation of the two historic contributing structures on the site will require approval from the Historic Preservation Board.

21. The elevation of the parking structure shall be designed to minimize lighting impacts on adjacent residential properties and incorporate architectural and landscape elements to create a façade that more closely resembles a building rather than open levels of a parking garage. The elevations for structures located within the University Heights North Historic District must receive approval from the Historic Preservation Board prior to final development plan approval. Elevations shall be generally consistent with those approved with this ordinance, but elevation details and materials may be revised by the Historic Preservation Board and/or Development Review Board without amending this ordinance.