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6/2/2010

ORDINANCE NO. _____
0-10-07

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3
4 **An Ordinance amending the City of Gainesville 2000-2010**
5 **Comprehensive Plan Future Land Use Plan and Map; changing**
6 **the land use categories of certain property from the Alachua**
7 **County land use category of “Low Density Residential (1-4**
8 **DU/acre)” to the City of Gainesville land use categories of**
9 **“Conservation”, and “Residential Low-Density (up to 12 units per**
10 **acre)” and by overlaying the “Planned Use District” category over**
11 **certain portions of the property, as more specifically described**
12 **and shown in this ordinance, consisting of approximately 28.98**
13 **acres located in the vicinity of the 4700 block of Archer Road,**
14 **north side; providing for conditions; providing directions to the**
15 **City Manager; providing a severability clause; providing a**
16 **repealing clause; and providing an effective date.**
17
18

19 **WHEREAS,** publication of notice of a public hearing that the Future Land Use Map be
20 amended by changing the land use categories of certain property from the Alachua County land use
21 category of “Low Density Residential (1-4 DU/acre)” to the City of Gainesville land use categories of
22 “Conservation” and “Residential Low-Density (up to 12 units per acre), and by overlaying the
23 “Planned Use District” category over certain portions of the property, as more specifically described
24 and shown in this ordinance; and

25 **WHEREAS,** notice by the Plan Board was given and publication made as required by law and
26 a public hearing was held by the City Plan Board on December 7, 2009; and

27 **WHEREAS,** notice was given and publication made of Public Hearings which were then held
28 by the City Commission on February 18, 2010; and

29 **WHEREAS,** pursuant to law, an advertisement no less than two columns wide by 10 inches
30 long was placed in a newspaper of general circulation notifying the public of this proposed ordinance

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1 and of the Public Hearing to be held in the City Commission Meeting Room, First Floor, City Hall, in
2 the City of Gainesville at least seven (7) days after the day the first advertisement was published; and

3 **WHEREAS**, pursuant to law, after the Public Hearing is held at the transmittal stage held, the
4 City of Gainesville transmitted copies of this proposed change to the State Land Planning Agency; and

5 **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long was
6 placed in the aforesaid newspaper notifying the public of the second Public Hearing to be held at the
7 adoption stage at least five (5) days after the day the second advertisement was published; and

8 **WHEREAS**, public hearings were held pursuant to the published and mailed notices described
9 above at which hearings the parties in interest and all others had an opportunity to be and were, in fact,
10 heard.

11 **WHEREAS**, prior to adoption of this ordinance the City Commission has considered the
12 comments, if any, of the State Land Planning Agency.

13 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
14 **CITY OF GAINESVILLE, FLORIDA:**

15 **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
16 Plan is amended by changing the land use category of certain property from the Alachua County land
17 use category of "Low Density Residential (1-4 DU/acre)" to the City of Gainesville land use category
18 of "Conservation", as shown on (Exhibit "A", attached hereto and made a part hereof as if set forth in
19 full.); and

20 **Section 2.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
21 Plan is amended by changing the land use category of certain property from the Alachua County land

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1 use category of "Low Density Residential (1-4 DU/acre) " to the City of Gainesville land use category
2 of Residential Low-Density (up to 12 units per acre), and by overlaying the "Planned Use District"
3 category over the property , as more specifically described in Exhibit "B", attached hereto and made a
4 part hereof, as if set forth in full.) For illustrative purposes only, the property designations are generally
5 shown on Exhibit "C" attached hereto.

6 **Section 3.** A Planned Development (PD) zoning ordinance consistent with the Planned
7 Use District (PUD) must be adopted by the City Commission within 18 months of the effective
8 date of the land use change. The obligation to timely apply for and obtain PD zoning shall be on
9 the owner/developer. If the aforesaid zoning ordinance is not adopted within the 18-month
10 period, then the overlay Planned Use District shall automatically be null and void and of no further
11 force and effect and the overlay land use category of "Planned Use District" shall ministerially be
12 removed from the Future Land Use Map, and the underlying land use shall be the City of
13 Gainesville land use category of "Residential Low-Density (up to 12 units per acre)". The timely
14 filing of an extension application by the owner/developer to extend the aforesaid 18-month period
15 shall toll the expiration date until final City Commission action on the extension application.

16 **Section 4.** The overlay Planned Use District category of the property described in Section 2 of
17 this ordinance is subject to the following terms, conditions and restrictions:

18 **Condition 1.** The implementing PD zoning shall require that the development and maintenance of
19 the property designated "Conservation" (Exhibit "A"), preserves and protects the environmental
20 characteristics of the property consistent with the requirements of the City's Comprehensive Plan.

21 **Condition 2.** The owner of the property described in Exhibit "A" shall convey a conservation

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1 easement to the City of Gainesville or other conservation entity, acceptable to the City, at the time of
2 filing an application for final development plan approval of Phase 1 of the property described in Exhibit
3 “B”, and the deed of conveyance shall address development activities, restricted uses, a management
4 plan and maintenance of said easement.

5 **Condition 3.** Non-residential uses permitted on a portion of the property described in Exhibit “B”, as
6 designated in the PD zoning ordinance, is restricted to institutional/residential uses associated with the
7 principal “aging in place” use, including professional and service uses, medical and office uses. These
8 uses shall conform to the land use standards for the “Office” land use category of the City’s
9 Comprehensive Plan. The PD zoning ordinance shall specify the permitted non-residential uses, and
10 the accessory uses that specifically serve the permitted uses. Outdoor storage and drive-thru facilities
11 of any nature are prohibited.

12 **Condition 4.** The maximum intensity of uses on the property described in Exhibit “B”, subject to
13 rezoning the property to PD and development plan approval is as follows:

- 14 a) The skilled nursing facility shall have a maximum of 180 beds.
- 15 b) The assisted living facility shall have a maximum of 130 beds.
- 16 c) The medical and general office uses shall have a maximum of 75,000 gross square feet.

17 **Condition 5.** The development of the property described in Exhibit “B” shall provide a minimum of
18 1.16 acres designated and used for active recreation space within convenient access to the occupants of
19 the property.

20 **Condition 6.** The PD zoning ordinance shall require building placement and orientation along SW
21 Archer Road as part of the first phase of the development. The zoning ordinance shall also prescribe

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1 additional regulations concerning setbacks, build-to line, building orientation, glazing, design and street
2 frontage development. The zoning ordinance shall also provide development standards for street
3 frontage development along Archer Road, SW 47th Street and other internal roads and driveways.

4 **Condition 7.** The PD zoning ordinance shall establish standards for tree protection and preservation,
5 upland development and required usable open space.

6 **Condition 8.** The PD zoning ordinance shall provide for the design and implementation of safe,
7 adequate and efficient transportation to serve the residents and occupants of the subject property to
8 and from surrounding development consistent with the Comprehensive Plan.

9 **Condition 9.** The PD zoning ordinance shall include a condition that the owner/developer will convey
10 to the City of Gainesville, at no cost or expense to the City, a minimum of 50 feet of right-of-way to
11 serve the development and use of the property, and to facilitate needed and planned transportation
12 routes to and from the development and surrounding areas. The actual right-of-way width to be
13 conveyed and the construction specifications shall be determined by the City Public Works Director.

14 **Condition 10.** The PD zoning ordinance shall include a gridded network street system that allows
15 connectivity routes to adjacent and surrounding developments. Additionally, the zoning ordinance
16 shall include the placement and construction of mass transit stops commensurate with the impact of this
17 development and the use of mass transit. The transportation impacts shall be evaluated based upon the
18 impacts of the entire development rather than for individual phases of development.

19 **Section 5.** The City Manager is authorized and directed to make the necessary changes in
20 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or portion
21 thereof in order to comply with this ordinance.

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1 **Section 6.** If any word, phrase, clause, paragraph, section or provision of this ordinance or
2 the application hereof to any person or circumstance is held invalid or unconstitutional, such
3 finding shall not affect the other provisions or applications of the ordinance which can be given
4 effect without the invalid or unconstitutional provisions or application, and to this end the
5 provisions of this ordinance are declared severable.

6 **Section 7.** All ordinances or parts of ordinances, in conflict herewith are to the extent of such
7 conflict hereby repealed.

8 **Section 8.** This ordinance shall become effective immediately upon passage on second
9 reading; however, the effective date of this plan amendment shall be the date a final order is issued by
10 the Department of Community Affairs finding the amendment to be in compliance in accordance with
11 Chapter 163.3184, F.S.; or the date a final order is issued by the Administration Commission
12 finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S.

13 **PASSED AND ADOPTED** this ____ day of _____, 2010.

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CRAIG LOWE, MAYOR

ATTEST:

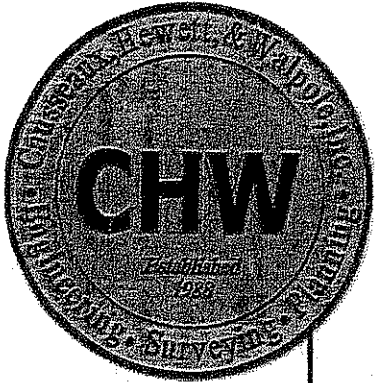
APPROVED AS TO FORM AND LEGALITY:

23 _____
Kurt Lannon,
24 Clerk of the Commission

Marion J. Radson, City Attorney

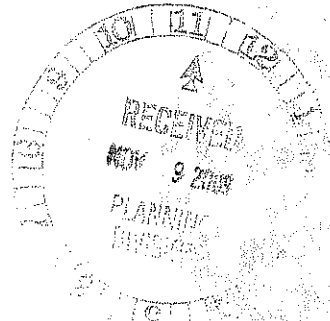
25
26 This ordinance passed on first reading this ____ day of _____, 2010.

27
28 This ordinance passed on second reading this ____ day of _____, 2010.



090741D

Revised Nov. 11, 2009
JOB NO. 08-0482.01
Parcel A: Conservation Area



LEGAL DESCRIPTION:

A portion of Sections 15 and 22, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Rory P. Causseaux, P.E.
President

Kevin W. Hewett, P.L.S.
Vice President - Surveying

Robert J. Walpole, P.E.
Vice President -
Engineering & Planning

Commence at the Northeast corner of the lands described in Deed Book 370, page 69 of the Public Records of Alachua County, Florida and thence run S.88°00'00"W., along the South line of the land described in Deed Book 258, Page 65 of said Public Records, a distance of 253.35 feet to the POINT OF BEGINNING; thence N.09°30'52"W., a distance of 152.67 feet; thence N.70°37'52"W., a distance of 31.15 feet; thence S.27°21'47"W., a distance of 129.32'; thence S.88°00'00"W., a distance of 51.18 feet; thence N.17°47'37"W., a distance of 228.85 feet; thence N.00°00'00"E., a distance of 70.00 feet; thence N.08°36'05"E., a distance of 75.34 feet; thence N.27°05'29"E., a distance of 79.13 feet; thence N.45°43'41"E., a distance of 120.01 feet; thence N.00°50'14"W., a distance of 50.00 feet to the South line of the lands described in Official Records Book 2468, Page 1211 of said Public Records; thence S.89°09'46"W., along said South line, a distance of 294.10 feet to the Southwest corner of said lands described in Official Records Book 2468, Page 1211; thence N.11°14'29"W., along the West line of said lands described in Official Records Book 2468, Page 1211, a distance of 55.91 feet; thence S.89°43'11"W., along a line of the lands described in Official records Book 935, Page 279 of said Public Records, a distance of 163.44 feet; thence S.01°34'25"E., along the East line of said lands described in Official Records Book 935, Page 279, a distance of 594.53 feet; thence N.88°25'35"E., along a line described in Official Records Book 935, Page 279, a distance of 75.14 feet; thence S.04°53'04"W., along the West line of the aforementioned lands described in Deed Book 258, Page 65, a distance of 85.69 feet to the Southwest corner of said lands described in Deed Book 258, Page 65; thence N.88°00'00"E., along the south line of said lands described in Deed Book 258, Page 65, a distance of 487.21 feet to the POINT OF BEGINNING.

Containing 5.71 acres more or less.

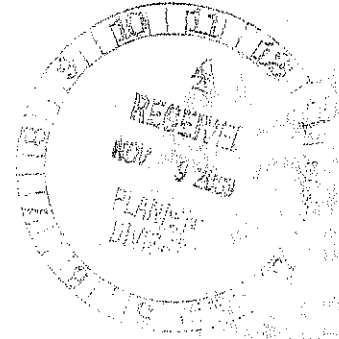
ALL AS SHOWN ON THE MAP
ATTACHED HEREWITH AND MADE
A PART HEREOF

6011 NW 1st Place
Gainesville, Florida 32607
Phone: (352) 331-1976
Fax: (352) 331-2476
www.chw-inc.com



090741D

Revised Nov. 11, 2009
JOB NO. 08-0482.01
Parcel B



LEGAL DESCRIPTION:

A portion of Sections 15 and 22, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Rory P. Causseaux, P.E.
President

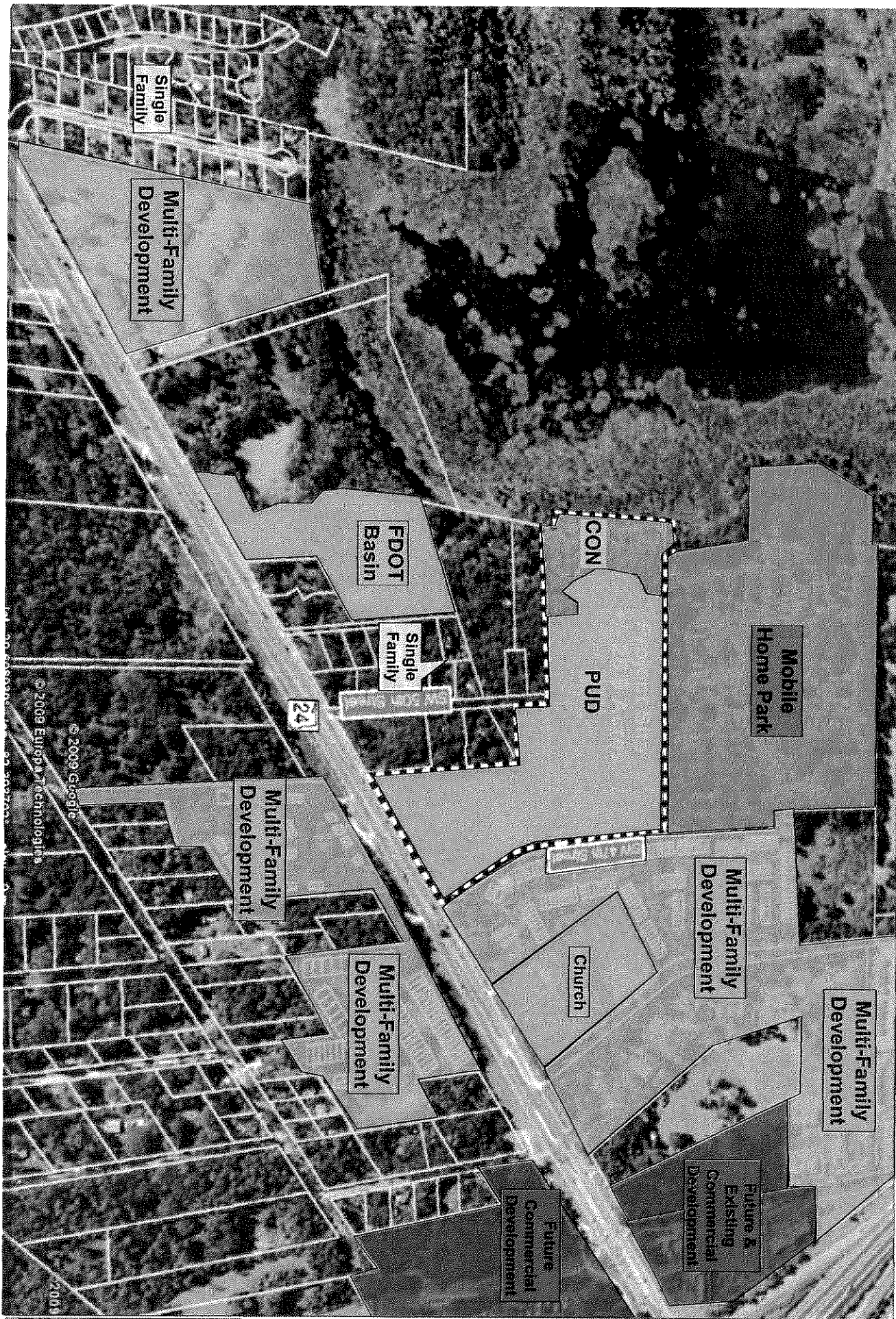
Kevin W. Hewett, P.L.S.
Vice President - Surveying

Robert J. Walpole, P.E.
Vice President -
Engineering & Planning

Commence at the Northeast corner of the lands described in Deed Book 370, Page 69 of the Public Records of Alachua County, Florida for the POINT OF BEGINNING and thence S.88°00'00"W., along the north line of said lands, a distance of 253.35 feet; thence departing said north line, N.09°30'52"W., a distance of 152.67 feet; thence N.70°37'52"W., a distance of 31.15 feet; thence S.27°21'47"W., a distance of 129.32'; thence S.88°00'00"W., a distance of 51.18 feet; thence N.17°47'37"W., a distance of 228.85 feet; thence N.00°00'00"E., a distance of 70.00 feet; thence N.08°36'05"E., a distance of 75.34 feet; thence N.27°05'29"E., a distance of 79.13 feet; thence N.45°43'41"E., a distance of 120.01 feet; thence N.00°50'14"W., a distance of 50.00 feet to the South line of the lands described in Official Records Book (ORB) 2468, Page 1211 of said Public Records; thence N.89°09'46"E., along said South line, a distance of 776.99 feet; thence N.85°26'21"E., continuing along said South line, a distance of 193.51 feet; thence S.05°00'40"E., along the West line of the lands described in ORB 2061, Page 1926 of said Public records, a distance of 658.90 feet to the beginning of a curve concave Northeasterly, said curve having a radius of 534.36 feet; thence Southeasterly and continuing along said West line, with said curve, through an arc angle of 26°16'23", an arc distance of 245.03 feet (chord bearing and distance of S.18°10'07"E., 242.89 feet respectively) to the end of said curve; thence S.31°18'38"E., continuing along said West line, a distance of 289.43 feet; thence S.32°04'50"E., a distance of 10.67 feet to the Northwestly right of way line of State Road No. 24 (Archer Road); thence S.58°31'58"W., along said right of way line, a distance of 637.67 feet to the Southwest corner of the lands described in ORB 2171, Page 1587 of said Public Records; thence run N.05°00'44"W., along the West line of said lands described in ORB 2171, Page 1587, a distance of 459.44 feet; thence N.04°53'32"W., continuing along said West line, a distance of 245.75 feet to the Northwest corner of said lands described in ORB 2171, Page 1587; thence N.62°04'47"E., along the North line of said lands described in ORB 2171, Page 1587, a distance of 38.25 feet to the Northeast corner of the lands described in ORB 829, Page 737 of said Public Records; thence S.84°09'25"W., along the North line of said lands described in ORB 829, Page 737, a distance of 281.92 feet to the Southwest corner of said lands described in ORB 829, Page 737; thence N.04°57'40"W., along the West line of said lands as described in ORB 829, Page 737, a distance of 156.90 feet to the Northwest corner of said lands described in ORB 829, Page 737; thence S.89°16'31"W., a distance of 38.11 feet to the POINT OF BEGINNING.

Containing 23.27 acres more or less.

ALL AS SHOWN ON THE MAP
ATTACHED HERewith AND MADE A PART HEREOF



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CHW
Causseaux, Hewett, & Walpole, Inc.
 Engineering • Surveying • Planning
 6811 NW 1st Place Gainesville, Florida 32607
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<http://www.chw-inc.com>

Professional Seal
 State of Florida
 License No. 12000
 Exp. 12/31/2010
 State of Florida
 License No. 12000
 Exp. 12/31/2010



**Alachua County Parcel # 0619-000-000, 0619-001-000,
 06929-000-000, 06933-000-000, & 06935-001-000
 Large-scale Comprehensive Plan Amendment**

DATE: 05/11/2010
 TIME: 10:00 AM