

City Plan Board Recommendation:

Approve amendment to the planned development to allow for permitted primary uses under SIC Industry Nos. 8011, 8031, 8041 and 8049, and to further amend the proposed PD report to specifically exclude freestanding emergency medical centers from the allowed uses under SIC Industry No. 8011.

Add the following additional conditions to the existing planned development, as recommended by staff:

Condition 1 – Any future development on the site will require development plan review to ensure consistency with the PD conditions and other standards. If the development on the site remains on a septic system, written approval from the Alachua County Health Department will be required at the time of development plan review.

Condition 2 – The development order approved by the adoption of the Planned Development Zoning Ordinance will be valid for a period of three years from the date of adoption. A building permit must be issued prior to that expiration date, or the development order approved by the ordinance will be considered void and of no further force and effect.

Major Group 80.—HEALTH SERVICES

The Major Group as a Whole

This major group includes establishments primarily engaged in furnishing medical, surgical, and other health services to persons. Establishments of associations or groups, such as Health Maintenance Organizations (HMOs), primarily engaged in providing medical or other health services to members are included, but those which limit their services to the provision of insurance against hospitalization or medical costs are classified in Insurance, Major Group 63. Hospices are also included in this major group and are classified according to the primary service provided.

Industry groups 801 through 804 includes individual practitioners, group clinics in which a group of practitioners is associated for the purpose of carrying on their profession, and clinics which provide the same services through practitioners that are employees.

Industry Group No.	Industry No.
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801 OFFICES AND CLINICS OF DOCTORS OF MEDICINE

8011 Offices and Clinics of Doctors of Medicine

Establishments of licensed practitioners having the degree of M.D. and engaged in the practice of general or specialized medicine and surgery. Establishments operating as clinics of physicians are included in this industry. Osteopathic physicians are classified in Industry 8031.

Ambulatory surgical centers
Anesthesiologists, offices of
Clinics of physicians (M.D.)
Dermatologists, offices of
* Freestanding emergency medical (M.D.) centers
Gynecologists, offices of
Neurologists, offices of
Obstetricians, offices of
Oculists, offices of
Ophthalmologists, offices of
Orthopedic physicians, offices of

Pathologists (M.D.), offices of
Pediatricians, offices of
Physicians (M.D.), including specialists:
offices and clinics of
Plastic surgeons, offices of
Primary care medical (M.D.) clinics
Psychiatrists, offices of
Psychoanalysts, offices of
Radiologists, offices of
Surgeons (M.D.), offices of
Urologists, offices of

802 OFFICES AND CLINICS OF DENTISTS

8021 Offices and Clinics of Dentists

Establishments of licensed practitioners having the degree of D.M.D. or D.D.S. (or D.D.Sc.) and engaged in the practice of general or specialized dentistry, including dental surgery. Establishments operating as clinics of dentists are included in this industry.

Clinics of dentists
Dental surgeons, offices of
Dentists, offices and clinics of
Endodontists, offices of
Oral pathologists, offices of

Orthodontists, offices of
Pathologists, oral: offices of
Periodontists, offices of
Prosthodontists, offices of

803 OFFICES AND CLINICS OF DOCTORS OF OSTEOPATHY

8031 Offices and Clinics of Doctors of Osteopathy

Establishments of licensed practitioners having the degree of D.O. and engaged in the practice of general or specialized osteopathic medicine and sur

OFFICES AND CLINICS OF DOCTORS OF OSTEOPATHY—Con.

8031 Offices and Clinics of Doctors of Osteopathy—Con.

gery. Establishments operating as clinics of osteopathic physicians are included in this industry.

Osteopathic physicians, offices and clinics of

080565

OFFICES AND CLINICS OF OTHER HEALTH PRACTITIONERS

8041 Offices and Clinics of Chiropractors

Establishments of licensed practitioners having the degree of D.C. and engaged in the practice of chiropractic medicine. Establishments operating as clinics of chiropractors are included in this industry.

Chiropractors, offices and clinics of

Clinics of chiropractors

8042 Offices and Clinics of Optometrists

Establishments of licensed practitioners having the degree of O.D. and engaged in the practice of optometry. Establishments operating as clinics of optometrists are included in this industry.

Optometrists, offices and clinics of

8043 Offices and Clinics of Podiatrists

Establishments of licensed practitioners having the degree of D.P. and engaged in the practice of podiatry. Establishments operating as clinics of podiatrists are included in this industry.

Podiatrists, offices and clinics of

8049 Offices and Clinics of Health Practitioners, Not Elsewhere Classified

Establishments of health practitioners engaged in the practice of health fields, not elsewhere classified. Practitioners may or may not be licensed or certified, depending on the State in which they practice. Establishments operating as clinics of health practitioners, not elsewhere classified, are included in this industry.

Acupuncturists, except M.D.: offices of
Audiologists, offices of
Christian Science practitioners, offices of
Dental hygienists, offices of
Dieticians, offices of
Hypnotists, offices of
Inhalation therapists, registered
Midwives, offices of
Naturopaths, offices of
Nurses, registered and practical: offices of, except home health care services

Nutritionists, offices of
Occupational therapists, offices of
Paramedics, offices of
Physical therapists, offices of
Physicians' assistants, offices of
Psychiatric social workers, offices of
Psychologists, clinical: offices of
Psychotherapists, except M.D.: offices of
Speech clinicians, offices of
Speech pathologists, offices of

NURSING AND PERSONAL CARE FACILITIES

This group includes establishments primarily engaged in providing inpatient nursing and health-related personal care. Establishments providing diagnostic, surgical, and extensive medical services are classified in Industry Group 806, and those providing residential care with incidental nursing or medical services are classified in Industry Group 836.



080565

Inter-Office Communication

**Planning & Development Services
Planning Division/Current Planning Section
x5023, FAX x3259, Station 12**

Item No. 1

TO: City Plan Board

DATE: Oct. 23, 2008

FROM: Planning Department Staff

SUBJECT: **Petition 115PDA-08PB:** Causseaux, Hewett & Walpole, Inc., agent for Three Creek, LLC. An amendment to an existing planned development to allow for clinical/therapeutic health services as a primary use. Zoned: PD (Planned Development). Located at 2730 Northwest 39th Avenue.

Recommendation:

Approve Petition 115PDA-08PB with the associated 'PD Layout Map' and 'PD Report', subject to the conditions in this report.

Explanation:

The Stillpoint Planned Development is on a 1.53-acre parcel located on the north side of NW 39th Avenue, just to the west of Creekside Community Church. A small creek runs along the northern boundary of the site. Prior to 1990, the property was used as a large-lot, single family residence within the RSF-1 zoning district. A planned development was approved in 1990 that allowed for the establishment of a day care center within the existing house on the site. Two years later, a new planned development rezoning was approved that would allow a chiropractic office and accessory health care practices. The planned development strictly limited any expansion beyond the existing developed areas on the site, but allowed for the change of use from the day care center. A site plan review was required at that time to allow for the establishment of a small paved parking area and access drive near the front of the site. Additional unpaved parking areas were allowed to remain.

The purpose of this request is to allow for another change to the allowed uses on the property. Currently, the Stillpoint Planned Development specifically restricts the primary use for the site to a chiropractic office. Other similar uses are allowed, but only as accessory businesses to the chiropractor on the site. Therefore, an amendment to the planned development is being requested to allow for other therapeutic health services, such as acupuncturists, herbalists, massage therapists, psychotherapists, physical therapists to serve as the primary use within the development.

The existing uses surrounding the site include large undeveloped parcels, single-family residential lots, and institutional uses. The Three Lakes Creek runs along the northern edge

of the site and then runs southwesterly where it eventually combines with Possum Creek. Per the existing PD ordinance, development on the site is required to remain at least 50 feet from this creek. Directly to the east and west of the property are large undeveloped parcels that are owned by the City of Gainesville. Further to the east is Creekside Community Church. Single-family residential areas are located to the northwest and to the south across 39th Avenue. The Future Land Use Map designations for these surrounding properties are Single-Family (up to 8 units per acre), Residential Low Density (up to 12 units per acre), Public Facilities and Recreation. The closest residential structure is approximately 60 feet from the property line on the other side of the creek.

The attached PD Report expands the list of permitted uses on the site, while it simply reiterates the development standards that were originally proposed for this planned development. The development standards include required building setbacks, required landscape buffers, and number of parking spaces. The future development of the site is limited by a maximum building coverage of 3,505 square feet and a limitation of a 350 square feet addition to the existing principal building. Any development that is proposed in the future will require development plan approval, and must be consistent with the approved PD. The City's Land Development Code will remain applicable in all instances that are not specifically addressed by the PD Report.

A general layout for the site is also shown on the PD Layout Map – this is the same layout that is described in the existing approved PD zoning ordinance. This layout illustrates the prescribed setbacks and the locations of existing development, and considers the existing features on the site, which include natural forested areas and Three Lakes Creek.

PD Zoning District:

The PD zoning district was established to allow for unique proposals which are not provided for by the standard zoning districts. The existing Planned Development Zoning Ordinance includes conditions that were intended to define and limit the unique proposal. With the exception of the list of permitted uses, the petitioner has proposed to retain those conditions. According to Section 30-216 of the City Land Development Code, a proposal to rezone to the PD district (or amend an existing PD) shall consider the following:

Conformance with the Comprehensive Plan. The proposed planned development amendment is consistent with the City's Comprehensive Plan, particularly with Objective 4.2 regarding "the coexistence and integration of various land uses". This proposal is also consistent with the general objectives for the Planned Development District in Section 30-211(b) and with the underlying PUD designation for this property on the Future Land Use Map.

Concurrency. The development is located within Zone B of the TCEA, but the proposed change in uses will not increase impacts to public facilities and therefore does not require additional concurrency certification. The existing development is served by the central water system but not by central sewer.

Internal Compatibility. Development on the site is comprised of a primary building and a single accessory structure. Any new development on the site is substantially limited by the PD standards and will contain similar uses to those already on the site. The additional conditions below will address future development on the site:

Condition 1 – Any future development on the site will require development plan review to ensure consistency with the PD conditions and other standards. If the development on the site remains on a septic system, written approval from the Alachua County Health Department will be required at the time of development plan review.

Condition 2 – The development order approved by the adoption of the Planned Development Zoning Ordinance will be valid for a period of three years from the date of adoption. A building permit must be issued prior to that expiration date, or the development order approved by the ordinance will be considered void and of no further force and effect. The City will then have the option to designate other appropriate land use and zoning consistent with the Comprehensive Plan.

External compatibility. The site is surrounded adjacent to single-family residences on large lots, undeveloped wooded parcels, and a church. Although there are several single-family residences nearby, the large setbacks and dense buffers of existing vegetation serve to effectively isolate this development from the surrounding uses. Additional buffering or screening is not necessary to maintain compatibility with the adjacent uses. An existing buffer and fence along NW 39th Avenue also serve to effectively screen the development from the adjacent public street.

Intensity of Development. Development on the site is of a very low intensity, consistent with the surrounding uses and in consideration of the sensitive natural features on the site. The intensity of the use will not change with the approval of this planned development amendment.

Usable Open Space. Usable open spaces are provided on the site, consistent with the types of uses on the property, and as shown on the attached Planned Development Layout Map.

Environmental Constraints. The proposed amendment will not result in an increase in the potential impact to the environmental features on the site. Any future development allowed by this planned development will occur outside of the protected 50'-wide area adjacent to Three Lakes Creek.

External Transportation Access. The medical office uses proposed for this site will have direct access to NW 39th Avenue, a major arterial roadway.

Internal Transportation Access. The site contains a small paved parking area right next to 39th Avenue, and several additional unpaved parking spaces. Paved pedestrian pathways are provided directly from the parking area to the front entrance of the principal office building.

Range of Transportation Choices. Facilities are available to access the site via public transit, automobile, bicycle, or by foot.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ralph Hilliard".

Ralph Hilliard
Planning Manager

RH:saw

Attachments:

Technical Review Committee Comments
Neighborhood Workshop Materials
PD Report and Previous Ordinances
Previous Planned Development Report
PD Layout Plan Map

NEIGHBORHOOD WORKSHOP NOTES
Alachua Health Services at Stillpoint
August 21, 2008 @ 6:00 PM.
Creekside Community Church

Recorded and transcribed by Causseaux, Hewett, & Walpole, Inc. staff

Following an informational presentation by Gerry Dedenbach and Brad Klosterman, attendees asked questions regarding the requested Planned Development Amendment.

*Causseaux, Hewett, & Walpole, Inc. – Gerry Dedenbach (GD)
Brad Klosterman (BK)*

A presentation by Brad Klosterman contained the required elements of the neighborhood workshop. Questions were asked during and after the presentation. The following is a summary of the questions asked during the workshop and the citizens comments.

Question – Will there be a chiropractor on-site?

Answer (GD) – There could be, but the change we are proposing will not require a chiropractor to be on-site.

Question – Do you envision selling the property?

Answer (GD) – No, at this time our client wishes to concentrate on therapeutic medical and medical research uses.

Comment – We would like to bring in Medical Doctors or Doctors of Osteopathic medicine on site to get different types of funding and grants. However, the current zoning does not allow for this type of use. It allows only a chiropractor as the primary use..

Comment (GD) – The old Planned Development Ordinance is just an older way of permitting. We, as well as the City, try to be more flexible as to the intent of the permitted uses.

Comment – Nature is a big part of our practice. That is why we need to be located where we are, as opposed to a typical hospital, office or similar institutional complex. We try to focus more on healing. We like the buffering and the quiet of the location it affords to us. We will not be changing any of those elements in this requested amendment.

Currently, the zoning states that the medical director has to be a chiropractor or the facility needs to be sold to a chiropractor. This restriction makes it very difficult to grow and to seek grants or other types of medical research funding.

Question – What about persons such as spiritual healers? Will they be permitted to work out of the facility?

Answer – That is not part of our focus.

Answer (GD) – Churches are a different matter. Churches can be located in any land use or zoning. However, current Planned Development restricts the site to a chiropractor as the primary use.

Question – Can a church own it?

Answer (GD) – A church can purchase it, but to operate a church facility they would have to undergo either Land Use or Zoning changes, or perhaps both.

Question – What is the process?

Answer (GD) – We will submit the application in September. Staff will review the application and schedule the item for the Plan Board. The item will then be scheduled for three hearings in front of the City Commission. The first authorizes the City Attorney to draft an ordinance, the second and third adopt the ordinance.

Question – What are you asking for in the ordinance?

Answer (GD) – We will be asking for a medical office, which is a generic description. We will further specify the type of medical uses in the PD report. As part of the request we will explain how the industry is evolving and what constitutes the zoning ordinance change.

Question – What about mental health?

Answer (GD) – Yes, this could be a component of the services offered.

Comment – Only if a person is acceptable and fits into our focus as a therapeutic center and they are licensed with the State of Florida. Many times a counselor/social service data collector is required as part of a study or grant. We need to ability to allow the person to have an office or to work from within our facility.

Question – I see that you have a sign out for an office for rent?

Answer – Yes, we are currently looking for a massage therapist that meets our criteria. We are very selective and want to make sure that the person we are renting to fits into our medical business focus. They must hold the same vision regarding medical care as we do.

The meeting concluded at 6:50 p.m.

PUBLIC NOTICE

A Neighborhood Workshop will be held to discuss a Planned Development (PD) Amendment application to allow for health care service as a primary use on \pm 1.53 acres located at 2730 NW 39th Avenue. This is not a public hearing. The purpose of the meeting is to inform neighboring property owners of the nature of the proposal and seek their comments.

The meeting will be held Thursday, August 21, 2008 at 6:00 pm at the Creekside Community Church, located at 2640 Northwest 39th Avenue, Gainesville, Florida, 32605.

Contact Person: Gerry Dedenbach, AICP
Phone Number: (352) 331-1976

080565

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MAILING LABEL APPLICATION
For Neighborhood Workshop

OK
JD

Mailing Address: City of Gainesville, Station 12
Planning and Development Services
P.O. Box 490
Gainesville, FL 32602-0490
Phone: 352-334-5023 Fax: 352-334-3259
Physical Address: 306 NE 6th Avenue
Thomas Center Building B, Room 158

Today's Date: 07-24-08 Location Map Provided ☒

Tax Parcel Number: 06080 -- 000 -- 000

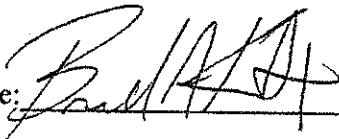
Property Address: 2730 NW 39th Avenue, Gainesville, Florida 32605

Project Name: Alachua Health Services

Project Description: Planned Development Amendment to allow for health services as a primary use.

First Step Meeting Date N/A / / Planner: Unknown

Circle One: Owner ☒ Agent

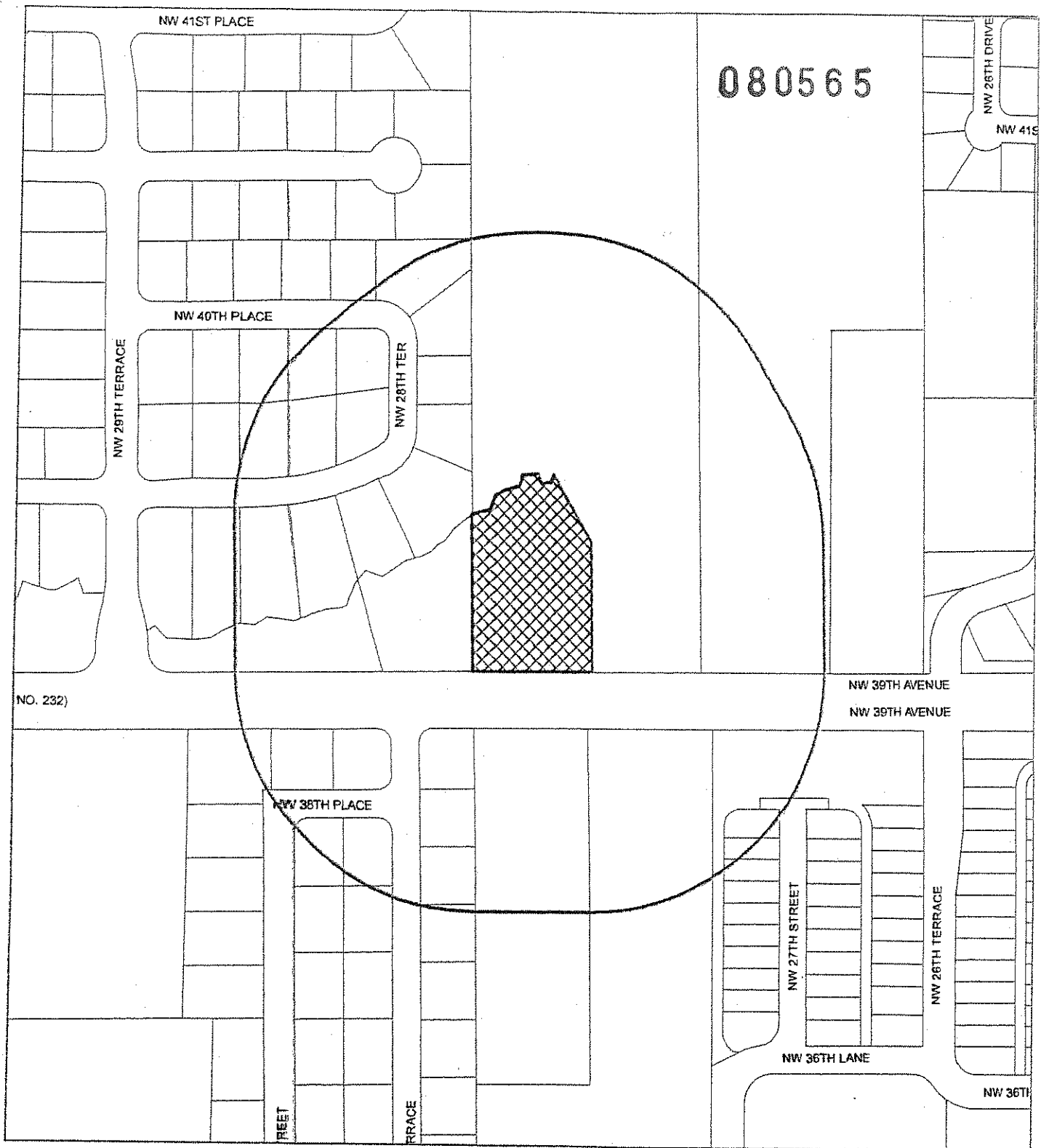
Applicant: Causseaux, Hewett, & Walpole, Inc. Signature: 

Daytime Phone No.: (352) 331-1976 Fax No.: (352) 331-2476

*An incomplete application will not be processed and will be returned to you.
Applications may take up to five business days to be processed.*

Office Use Only

Due Date: 8 14 2008



**Proposed Planned Development Amendment
to Allow Health Care Services as Primary Use**

**Parcel #06080-000-000
2730 NW 39th Avenue**

400-Foot Notification Radius

**Prepared by: Department of Community Development
City of Gainesville, Florida
7.29.2008**



1 inch equals 250 feet

This map is for informational purposes only. Do not rely on this map for accuracy of dimensions, size or location. The City of Gainesville does not assume responsibility to update this information or for any error or omission on this map. For specific information, you are directed to contact the City of Gainesville, Florida.



Memorandum

080565

To: Neighbors of Alachua Health Services #08-0137
From: Gerry Dedenbach, AICP, Director of Planning & GIS Services *GD*
Date: July 31, 2008
Re: Neighborhood Workshop Public Notice

Rory P. Causseaux, P.E.
President

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

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

Date: Thursday, August 21, 2008
Time: 6:00 pm
Place: Creekside Community Church
2640 Northwest 39th Avenue
Gainesville, Florida 32605
Contact: Gerry Dedenbach, AICP
(352) 331-1976

CHW, Inc. will be holding a workshop to discuss a requested Planned Development (PD) Amendment on a \pm 1.53 acre parcel located at 2730 NW 39th Avenue. The PD Zoning district currently permits a chiropractors' office as the primary use with accessory health care practices. The proposed amendment would allow for general health care practices as the primary use with accessory health care practices.

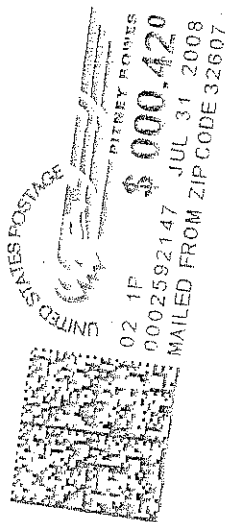
This is not a public hearing. The purpose of the meeting is to inform neighboring property owners about the nature of the proposal and to seek comments. We look forward to seeing you at the workshop.

I:\JOBS\2008\08-0137\Workshop\Mailout.doc

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

Causseaux, Hewett & Walpole, Inc.
6011 NW 1st Place
Gainesville, Florida 32607

Neighborhood Workshop Notice
Larry Schnell
2048 NW 7th Lane
Gainesville, FL 32603



080565

Sign In Street

080565

8-21-08

NAME

ADDRESS

DR KEE Smylie,

8620 NW 13TH ST #209, G. FL 3265

BRAD KOSTERMAN

CHW

6011 NW 1ST PLACE

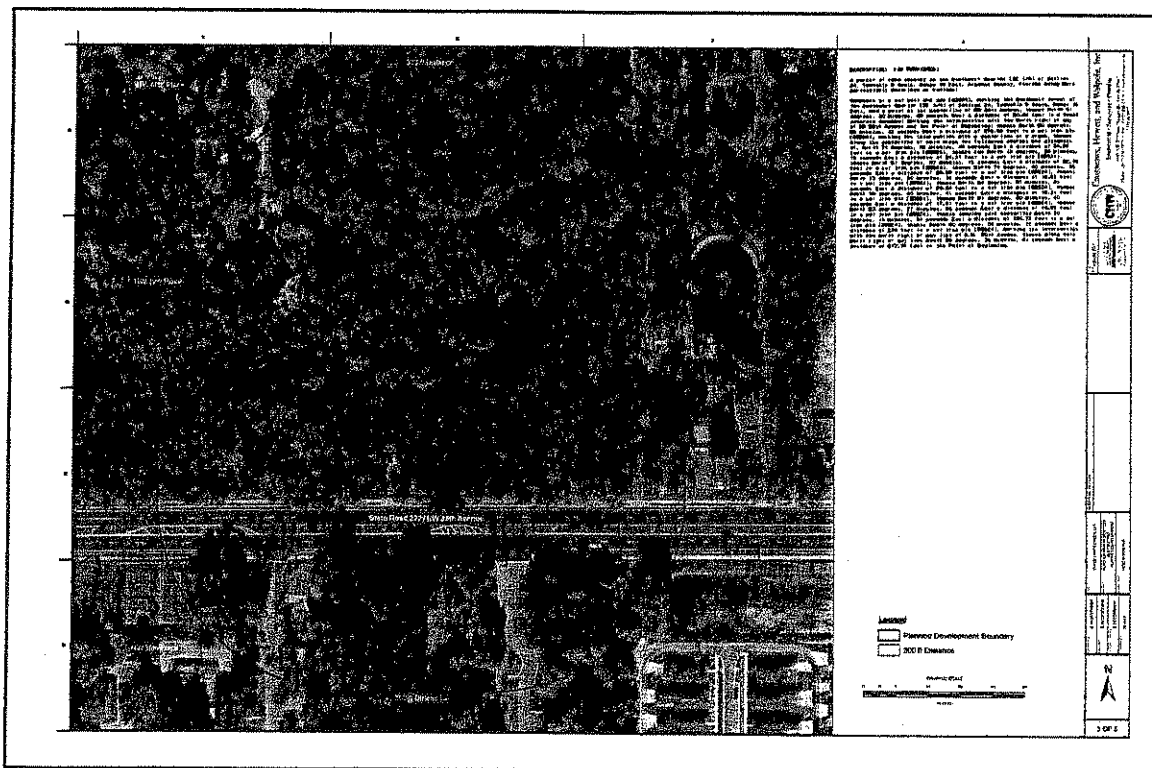

GERRY DEGENBACH

080565

Alachua Health Services *Affordable Healthcare at Stillpoint Therapy Center*

**STILLPOINT
THERAPY CENTER**
PHYSICAL THERAPY • ACUPUNCTURE
MASSAGE • FITNESS TRAINING
376-1320
CHIROPRACTIC & ALTERNATIVE THERAPY
2730

Planned Development Amendment
Neighborhood Workshop
8/21/08



080565

Alachua Health Services *Affordable Healthcare at Stillpoint Therapy Center*

Planned Development Amendment
Neighborhood Workshop
8/21/08



080565

PLANNED DEVELOPMENT REPORT

Alachua Health Services at Stillpoint
(former Carrick, Chiropractic Office and Precious Dears PD)
2730 NW 39th Avenue
Gainesville, Florida 32605

Property Owner(s): Three Lakes Creek, LLC
2730 NW 39th Avenue
Gainesville, Florida 32605

Prepared by: Causseaux, Hewett, & Walpole, Inc.
6011 NW 1st Place
Gainesville, Florida 32607
(352) 331-1976

Date: September 10, 2008
Revised October 7, 2008
Revised October 23, 2008
Revised November 3, 2008 per PB Hearing

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ALACHUA HEALTH SERVICE AT STILLPOINT
PLANNED DEVELOPMENT (PD) REPORT

October 23, 2008

Submitted in accordance with the requirements of
Sections 30-211, 213, 214 & 216
City of Gainesville, Land Development Code (LDC)

i. Purpose and Intent of Development

The PD rezoning amendment is on a ±1.53 acre parcel located in Section 24, Township 9 South, Range 19 East, Gainesville, Florida. The property was formerly used and limited to a chiropractic office under the existing and valid PD Zoning Ordinance. The desire of the current owners is allow for clinical/therapeutic health services as a primary use rather than the zoning specifically restricted to require a chiropractor as the primary of the office. The proposed PD zoning amendment requests the allowance for therapeutic health services such as acupuncturist, herbalists, massage therapist, psychotherapist, physical therapist, chiropractic office, and similar accessory uses which are customary and incidental to the functions of the offices and clinics.

City of Gainesville Sec 30-211(b)(1-7)

- (1) Permit outstanding and innovative residential and nonresidential developments with a building orientation generally toward streets and sidewalks; provide for an integration of housing types and accommodation of changing lifestyles within neighborhoods; and provide for design which encourages internal and external convenient and comfortable travel by foot, bicycle, and transit through such strategies as narrow streets, modest setbacks, front porches, connected streets, multiple connections to nearby land uses, and mixed uses.*

The nature of the property and re-use of the facility provides a structure significantly isolated from adjacent properties. The structure is directly oriented towards the street. Sidewalks are provided along NW 39th Avenue and internally to provide convenient access to and within the site. The site is located along Bus Route # 8, which allows for easy access for transit riders. Persons with special needs, such as the elderly and physically-challenged, can also easily access the site and receive treatment in a less clinical and institutional manner.

- (2) Provide flexibility to meet changing needs, technologies, economics and consumer preferences;*

The requested change will provide the property owners greater flexibility to meet changing health care and consumer needs by allowing the site to be utilized by a variety of licensed health care practitioners. However, the primary use will remain within a tightly controlled area based on the PD Layout Map. The proposed

modification in permitted uses will not increase the impact on adjacent properties since the maximum facility square footage and general use will remain the same.

- (3) Preserve to the greatest extent possible, and utilize in a harmonious fashion, existing and outstanding landscape features and scenic vistas.*

The project site is heavily vegetated and isolated from the surrounding land uses. The proposed amendment will not alter the existing appearance of the property and will maintain the landscape features and scenic vistas, which are integral to the site's aesthetic. In addition, the natural landscape features and scenic vistas are an essential element of the medical-therapeutic healing center.

- (4) Lower development and building costs by permitting smaller networks of utilities, a network of narrower streets, and the use of more economical development patterns and shared facilities.*

The reuse of the existing structure will have no additional impacts on the public infrastructure. Restrictions on the maximum permitted square footage as defined in the ordinance will control the number of clients the office may serve on a daily basis. Furthermore, providing greater flexibility for the business owner to adjust to market demands and patient needs promotes a positive atmosphere to maintain a successful medical-therapeutic healing center.

- (5) Achieve overall coordinated building and facility relationships and infill development, and eliminate the negative impacts of unplanned and piecemeal development.*

Promotion of flexible use standards supports and strengthens the ability of small businesses to provide a variety of uses to meet changing market trends, market demand, and local tastes. The requested modifications promote the facility's continued reuse and viability in the community, which eliminates the negative impacts of unplanned or piecemeal development.

- (6) Enhance the combination and coordination of architectural styles, building forms and building relationships within the development.*

The existing traditional single-family style architecture of the facility will remain. Additions, expansions, or renovations will be consistent with the existing architecture. The existing facility provides on-site parking and internal circulation facilities for pedestrians, vehicles, and bicycles. Although not a part of a larger development, the site preserves the corridor's aesthetic by presenting a coordinated architectural scale and setting as part of an evolving adaptive reuse of an existing property.

- (7) *Promote the use of traditional, quality-of-life design features, such as pedestrian scale, parking located to the side or rear of buildings, narrow streets, connected streets, terminated vistas, front porches, recessed garages, alleys, aligned building facades that face the street, and formal landscaping along streets and sidewalks.*

The single-family nature of the facility is pedestrian in scale. While the parking is located in front of the facility, it is significantly buffered from SR 222/NW 39th Avenue with only the access driveway being readily visible from the corridor. Existing vegetation creates a secluded atmosphere and attractive vistas both inside and outside the site.

ii. Statistical Information

Description	PD Total Area
Total acreage of Site	±1.53
Maximum building coverage (conditioned)	3,505 ft ² (5.3%) *
Maximum impervious ground coverage	10,000 ft ² (15.0%)
The maximum and minimum number of dwelling units and residential density	1 primary structure / dwelling unit
A listing of non-residential land uses by type and size to be allowed	Medical Office – 3,505 ft ² Floor Area Ratio (FAR) = 0.06 (whichever is less)
The maximum acreage of each use area	Medical Office, 100% with accessory uses
The area of land devoted to:	
▪ Publicly owned usable open space	0
▪ Publicly owned recreational areas	0
▪ Publicly owned plazas	0
▪ Common Area Usable Open Space	57,518 ft ² (85%)
▪ Common Area recreational areas	
▪ Common Area plazas	

* The maximum building coverage is limited to 3,505 ft². Any new development on the site shall require development plan review.

iii. Stormwater Management Plan

Stormwater runoff is contained on-site. A Stormwater Management Facility (SMF) provides water quality treatment (on-site retention of the first 1-1/4" of runoff from the impervious area or the first 1/2" of runoff, whichever is greater), and water quality treatment (detain the critical duration 25-year storm event with a post-development discharge rate equal to or less than the pre-development rate of discharge) prior to overland flow and discharge to Three Lake Creek. The Stormwater Management Plan has been established and will not require changes based on the proposed modification of uses.

iv. Infrastructure Design Standards

The existing driveway connection to SR 222/NW 39th Avenue complies with City and FDOT regulations. On-site parking facilities comply with current parking requirements for medical offices (1 space per 200 GSF building area or 13 spaces) and are setback and buffered from the roadway to protect the integrity of the corridor. In order to maintain the present site, only 6 spaces are paved, with a mulched parking area provided for the remaining spaces. The owner reserves the right to pave these spaces if needed.

The drainage facilities are constructed to accommodate 13 paved parking spaces. A sidewalk is constructed from the parking areas to the primary building to provide pedestrian/bicycle accessibility. The parking facility was be constructed to minimize impacts to the project site (only three trees were originally removed) to construct the 5 spaces. Garbage disposal is provided by curbside pickup and there is no on-site dumpster, nor a volume of waste requiring such a facility.

v. Schedule of Development

The proposed amendment will not change the existing facility. The limited amount of permitted building expansion has been accommodated for in the appropriate development plan and will not require additional parking or SMF upgrades.

vi. Signage Plan

Existing signage will remain in its current location. If new signage is proposed, it shall be required to meet the current sign code regulations set forth in the City of Gainesville Land Development Code (LDC) Article IX, Division 1. In addition, Section 4, Item *n* of Ordinance 3830 Amended provides further sign guidelines for the property.

vii. Enumeration of Differences

The proposed PD zoning amendment is to allow for medical-therapeutic health services such as, massage therapist, psychotherapist, physical therapist, chiropractic office, etc. with related accessory uses, which are customary and incidental to the functions of a therapeutic offices and/or clinics such as acupuncturist, herbalists, nutritionists, etc. The permitted uses shall be 1987 SIC codes 8011(except freestanding emergency medical (M.D.) centers), 8031, 8041, and 8049.

viii. Requirements and Evaluation of PD (Sec 30-216)

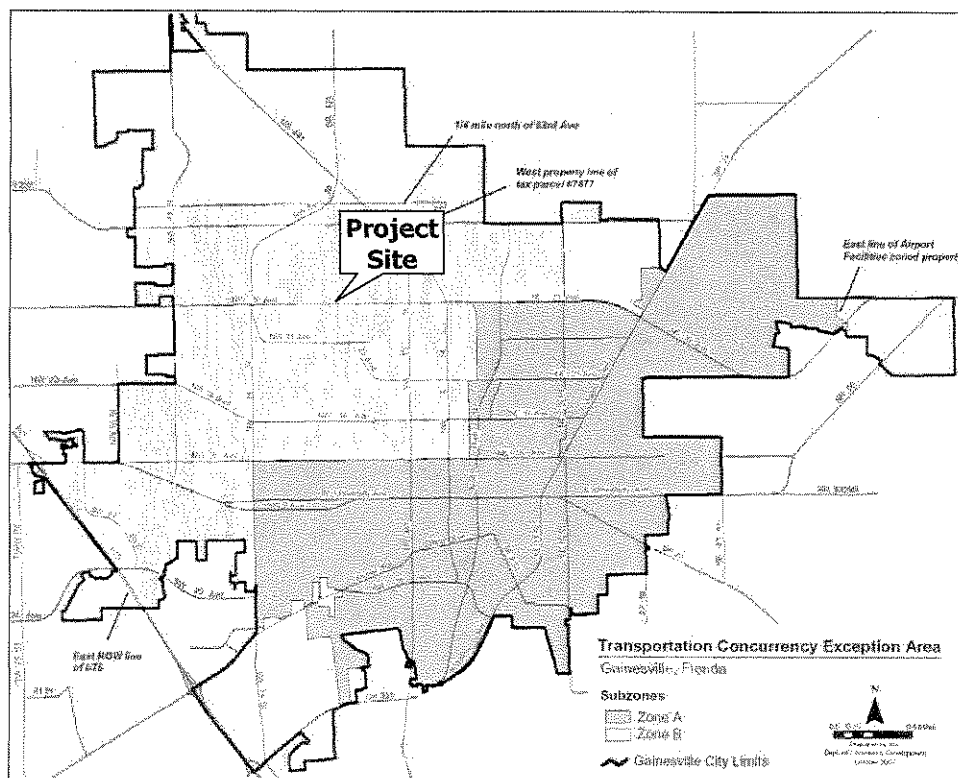
Conformance with PD Objectives

Consistency with the objective set forth in the City of Gainesville Land Development Regulations Section 30-211(b) has been demonstrated throughout this report. The City of Gainesville Future Land Use Map classifies the project site as a Planned Use District (PUD). The City of Gainesville Comprehensive Plan allows a PUD to have a mix of residential and non-residential uses and/or unique design features which might otherwise not be allowed in the underlying land use category.

Given the location and previous use as a single-family home, followed by a child care center, and currently as a chiropractic office, it was and still is appropriate for the PUD district to allow for a site specific Planned Development (PD) zoning. Please see Attachment 'A' for Ordinance 3611 adopting the PUD Future Land Use category.

Concurrency

This development is located within Zone 'B' of the Transportation Concurrency Exception Area (TCEA). Normally, an application for a Certificate of Final Concurrency must be submitted in conjunction with a site plan for additional development. However, since the proposed change in uses will not increase impacts to public facilities, no Certificate of Final Concurrency is required at this time.

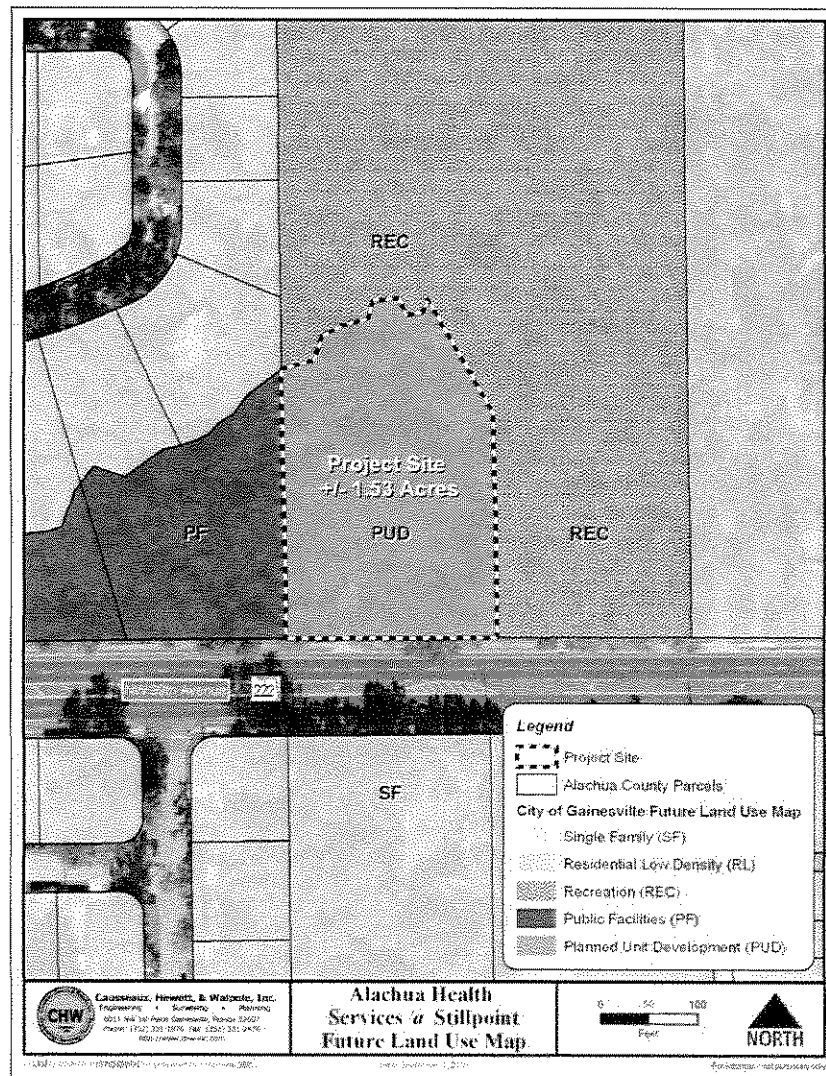


Internal Compatibility

The PD is comprised of a single structure and an accessory structure, which holds items required for maintaining the property. The site's significant required setbacks and buffers isolate the use central to the property. Parking facilities have been provided off of NW 39th Avenue. However, the facilities are significantly buffered from the roadway and do not have an adverse impact on the street vista. In addition, the parking area is limited to 13 parking spaces. This limited impervious/semi-pervious surfacing allows for greater protection of the natural features, including the topography and existing vegetation, which further enhances the site's internal and external compatibility.

External Compatibility

The PUD/PD Future Land Use and Zoning has been historically provided to insure external compatibility. The proposed change in the primary use will not have an increase in impacts to the area. Therefore, additional buffering to the surrounding parcels is not required. In addition, since the original PD approval, properties to the south and east have been developed as religious facilities and other non-residential uses.



<i>Direction</i>	<i>Future Land Use</i>	<i>Property Use</i>
North	Recreation (REC)	Stillpoint Park
East	Recreation (REC)	Stillpoint Park
South	Right-of-Way / Single-Family (SF)	Religious Facilities
West	Public Facilities	Stillpoint Park

Intensity of Development

As previously shown, the maximum building coverage is limited to 3,505 square feet. The site's limited intensity and architectural character are consistent and compatible with the site's physical and environmental characteristics and that of the surrounding properties.

Usable Open Spaces

The significant building setback and on-site buffers provide an opportunity for large areas of usable open space and protection of landscape features and scenic vistas. This is consistent with the facility's natural and holistic healing concept, which necessitates the proposed use change. Visitors and clients of the facility will be able to enjoy the secluded nature of the facility, which will contribute to the positive effects of the treatment offered at the facility.

Environmental Constraints

Necessary environmental protections have been accommodated during the original site development with large buffers, small impervious area, and low F.A.R. The proposed change will not result in any additional impacts to the site.

External Transportation Access

The site has direct access to SR 222/NW 39th Avenue, a major arterial roadway. Access to the site is via an existing Florida Department of Transportation (FDOT) permitted driveway. As seen in the traffic statement below, the existing trip generation is 83.27 Annual Average Daily Traffic (AADT). The proposed change will not result in additional trip generation. If the site builds out to its permitted maximum, it would generate an estimated AADT of 110.23 trips.

<i>Time</i>	<i>Land Use</i>	<i>ITE Code</i>	<i>Rate</i>	<i>Units</i>	<i>AADT</i>
Existing	Clinic	630	31.45	2.648	83.27
Full Build out	Clinic	630	31.45	3.505	110.23

Internal Transportation Access

The sidewalks, pedestrian lighting, and streetscape improvements have been installed to allow for safe internal movement of site visitors. Sidewalks provide connection from the parking area to the facility. Mulched pathways may be permitted within the open space and development areas for the enjoyment of client's and enhance patient's well-being.

Range of Transportation Choices

Transportation to and from the site is accommodated via pedestrian, bicycle, mass transit, and personal vehicles.

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APPENDIX 'A'
LEGAL DESCRIPTION
FOR THE PLANNED DEVELOPMENT

DESCRIPTION: (AS FURNISHED)

A parcel of land located in the Southeast Quarter (SE 1/4) of Section 24, Township 9 South, Range 19 East, Alachua County, Florida being more particularly described as follows:

Commence at a set nail and cap (#3524), marking the Southwest corner of the Southeast Quarter (SE 1/4) of Section 24, Township 9 South, Range 19 East, and a point on the centerline of NW 39th Avenue, thence North 01 degrees, 20 minutes, 40 seconds West a distance of 50.04 feet to a found concrete monument marking the intersection with the North right of way of NW 39th Avenue and the Point of Beginning; thence North 00 degrees, 59 minutes, 12 seconds West a distance of 276.45 feet to a set iron pin (#3524), marking the intersection with a centerline of a creek, thence along the centerline of said creek the following courses and distances of, North 74 degrees, 49 minutes, 49 seconds East a distance of 34.39 feet to a set iron pin (#3524), thence run North 18 degrees, 39 minutes, 13 seconds East a distance of 26.24 feet to a set iron pin (#3524), thence North 61 degrees, 47 minutes, 19 seconds East a distance of 22.18 feet to a set iron pin (#3524), thence North 74 degrees, 40 minutes, 35 seconds East a distance of 28.65 feet to a set iron pin (#3524), thence North 13 degrees, 30 minutes, 16 seconds East a distance of 18.95 feet to a set iron pin (#3524), thence North 84 degrees, 57 minutes, 35 seconds East a distance of 28.64 feet to a set iron pin (#3524), thence South 19 degrees, 40 minutes, 41 seconds East a distance of 18.31 feet to a set iron pin (#3524), thence North 81 degrees, 00 minutes, 40 seconds East a distance of 17.31 feet to a set iron pin (#3524), thence North 23 degrees, 27 minutes, 46 seconds East a distance of 14.29 feet to a set iron pin (#3524), thence leaving said centerline South 30 degrees, 14 minutes, 34 seconds East a distance of 134.75 feet to a set iron pin (#3524), thence South 00 degrees, 59 minutes, 12 seconds East a distance of 230 feet to a set iron pin (#3524), marking the intersection with the North right of way line of N.W. 39th Avenue, thence along said North right of way line South 89 degrees, 36 minutes, 41 seconds West a distance of 217.74 feet to the Point of Beginning.

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APPENDIX 'B'
ORDINANCE 3611

ORDINANCE NO. 3611
0-89-96

AN ORDINANCE AMENDING THE CITY OF GAINESVILLE 1980-2000 COMPREHENSIVE PLAN BY IMPOSING THE "PLANNED USE DISTRICT (PUD)" CLASSIFICATION OVER CERTAIN PROPERTY WITH THE LAND USE CLASSIFICATION OF "SINGLE-FAMILY" LOCATED IN THE VICINITY OF 2730 N.W. 39TH AVENUE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City Plan Board authorized the publication of notice of a Public Hearing that the Planned Use District Classification be imposed over certain lands within the City with the Land Use Classification of "Single-family"; and

WHEREAS, notice by the Plan Board was given and publication made as required by law on November 1, 1989, and a Public Hearing was held on November 16, 1989; and

WHEREAS, notice was given and publication made on November 1, 1989, of a Public Hearing which was then held by the City Commission on December 4, 1989; and

WHEREAS, the amendment to the Land Use Element of the City of Gainesville 1980-2000 Comprehensive Plan proposed herein directly relates to a small scale development activity as provided in Chapter 163, F.S.; and

WHEREAS, a legal advertisement was placed in a newspaper of general circulation notifying the public of this proposed Ordinance and of the Public Hearing to be held in the A. Clarence O'Neill Auditorium of the Municipal Building of the City of Gainesville approximately seven (7) days after the day

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1 the first legal advertisement was published; and

2 WHEREAS, a second legal advertisement was placed in the
3 aforesaid newspaper notifying the public of the second Public
4 Hearing to be held approximately five (5) days after the day the
5 second legal advertisement was published; and

6 WHEREAS, the two (2) Public Hearings were held pursuant to the
7 published and mailed notices described above at which hearings
8 the parties in interest and all others had an opportunity to be
9 and were, in fact, heard.

10 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
11 CITY OF GAINESVILLE, FLORIDA:

12 Section 1. The Land Use Element of the City of Gainesville
13 1980-2000 Comprehensive Plan is amended by imposing the "Planned
14 Use District (PUD)" classification over the following described
15 property with the present land use classification of "Single-
16 family":

17 See legal description attached hereto as Exhibit
18 "A", and made a part hereof as if set forth in
19 full.

20 Section 2. The present land use classification of "Single-
21 family" on the above-described property is neither abandoned nor
22 repealed; such classification is inapplicable as long as the
23 property is developed in accordance with the development plan
24 approved in the ordinance rezoning the property to Planned
25 Development "PD." It is the intention of the City Commission
26 that the provisions of Sections 1-3 of the Ordinance shall
27 become and be made a part of the Code of Ordinances of the City

CODING: Words ~~stricken~~ are deletions; words underlined are
additions.

of Gainesville, Florida, and that the Sections and Paragraphs of this Ordinance may be renumbered and relettered in order to accomplish such intentions.

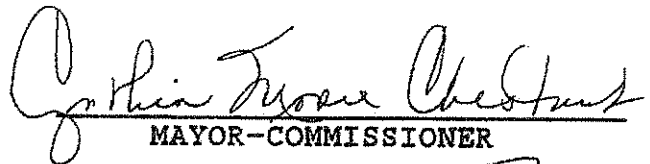
Section 3. The City Manager is authorized and directed to make the necessary changes in maps and other data in said Land Use Element in order to comply with this Ordinance.

Section 4. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 5. All Ordinances, or parts of Ordinances, in conflict herein are to the extent of such conflict hereby repealed.

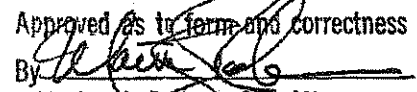
Section 6. This Ordinance shall become effective immediately upon final adoption.

PASSED AND ADOPTED this 2nd day of April, 1990.


MAYOR-COMMISSIONER

ATTEST:


CLERK OF THE COMMISSION

Approved as to form and correctness
By 
Marion J. Radson, City Attorney
City of Gainesville, Florida

APR - 4 1990
This Ordinance passed on first reading this 19th
day of March, 1990.

This Ordinance passed on second reading this 2nd
day of April, 1990.

MJR/afm
03/21/90

CODING: Words stricken are deletions; words underlined are additions.

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APPENDIX 'C'
ORDINANCE 3830

ORDINANCE NO. 3830

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0-92-98

AN ORDINANCE OF THE CITY OF GAINESVILLE,
FLORIDA, AMENDING ORDINANCE NO. 3612 BY
REZONING CERTAIN LANDS TO PERMIT THE
PRINCIPAL USE OF A CHIROPRACTIC OFFICE AND
ACCESSORY RELATED HEALTH CARE PRACTICES ON
CERTAIN PROPERTY WITH THE ZONING CATEGORY
OF "PLANNED DEVELOPMENT DISTRICT"; LOCATED IN
THE VICINITY OF 2730 N.W. 39TH AVENUE; PROVIDING
A SEVERABILITY CLAUSE; PROVIDING A REPEALING
CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE
DATE.

WHEREAS, on April 2, 1990, the City Commission of the City of
Gainesville adopted Ordinance No. 3612 which rezoned certain
property described therein to Planned Development District to
permit the use and operation of a daycare center as fully described
therein;

WHEREAS, the owner of the property requested the City Plan
Board to publish notice of a Public Hearing that the aforesaid
lands with the zoning category of "Planned Development District" be
used as a chiropractic office and accessory related health care
practices in lieu of a day care center; and

WHEREAS, notice by the Plan Board was given and publication
made as required by law on May 6, 1992, of Public Hearings held on
May 21, 1992 and May 28, 1992; and

WHEREAS, notice was given and publication made on May 6,
1992, of Public Hearings which were then held by the City
Commission on June 1, 1992, June 15, 1992 and August 3, 1992; and

WHEREAS, the City Commission finds that the rezoning of the property described herein is consistent with the City of Gainesville 1991-2001 Comprehensive Plan as adopted by Ordinance No. 3749.

WHEREAS, at least ten (10) days notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the A. Clarence O'Neill Auditorium of the Municipal Building of the City of Gainesville; and

WHEREAS, pursuant to law, notice has also been given by mail to the petitioner whose land will be regulated by the adoption of this Ordinance at least 30 days prior to the date of the public hearing and the adoption of this ordinance; and

WHEREAS, public hearings were held pursuant to the published and mailed notice described at which hearing the parties in interest and all others had an opportunity to be and were, in fact, heard.

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

Section 1. Ordinance No. 3612 of the City of Gainesville is amended and the following described property is rezoned to permit the principal use of a chiropractic office (in 8041, Standard Industrial Classification Manual, 1987 ed.) and accessory related health care practices on certain property, more specifically

described herein, with the zoning category of Planned Development Districts;

See Exhibit "A" attached hereto and made a part hereof as if set forth in full.

Section 2. The City Manager is authorized and directed to make the necessary change in the Zoning Map to comply with this Ordinance.

Section 3. The Development Plan attached to this Ordinance which consists of the following:

1. a five (5) page Development Report entitled "Development Plan Report for a Chiropractic Doctor's Office" dated April 13, 1992, last revised December 9, 1992, identified as Exhibit "B"; and

2. development plan maps consisting of three (3) sheets prepared by Chance and Chausseaux, Inc., identified as Composite Exhibit "C";

are incorporated herein and made a part of this Ordinance as if set forth in full. The terms, conditions, and limitations of the Development Plan shall regulate the use and development of the land described herein zoned to the category of Planned Development District as provided in Chapter 30, Land Development Code of the City of Gainesville. In the event of conflict between the provisions of the development plan report (Exhibit "B") and the development plan maps (Exhibit "C"), the provisions, regulations, and restrictions of the development plan maps (Exhibit "C") shall govern and prevail.

Section 4. The following conditions, restrictions and regulations shall also apply to the development and use of land described herein:

a) Site Plan approval of the development is required in accordance with the procedure provided in Article VII of Chapter 30 of the Land Development Code of the City of Gainesville.

b) The principal uses of the property are limited to: 1) a Chiropractic Office IN 8041 (Standard Industrial Classification, 1987 ed.) and accessory uses which are customary and incidental to the functions of a chiropractor office; or 2) a single-family residence. Any change of principal use except as set forth herein will require a rezoning. The principal uses permitted herein do not permit or allow a compound use of the property.

c) If actual substantial construction has not begun within six (6) months from the adoption of this Ordinance, or if the Planned Development is not completed and the use commenced within twelve (12) months from the date of final adoption of this Ordinance, the City will initiate a rezoning petition to "Single-family residential district (RSF-1: 3.5 units/acre)".

d) If the principal use of a Chiropractic office is discontinued or abandoned at any time for a period of nine (9) consecutive months or more, the City will initiate a rezoning petition to "Single-family residential district (RSF-1: 3.5 units/acre)".

1 A determination as to whether the use was discontinued or
2 abandoned shall be made by the City Manager.

3 e) Accessory structures may only be located north of the south
4 line of the existing principal building as shown on Exhibit
5 "C", subject to this Development Plan and site plan approval.

6 A 40 foot building and structure setback shall be maintained
7 along and adjacent to the west property line, and a 20 foot
8 building or structure setback shall be maintained along a
9 adjacent to the east property line.

10 f) The existing principal building as shown on Composite Exhibit
11 "C" may be expanded to a maximum of 350 square feet subject to
12 site plan approval. Any expansion shall not encroach upon or
13 within the existing south line of the existing building with
14 minimum side yard setbacks of fifty (50) feet on the west and
15 fifty (50) feet on the east.

16 g) All principal and accessory uses shall be conducted within
17 completely enclosed building/s, with the exception of the
18 existing swimming pool which may be used as an accessory and
19 incidental use. The use of the swimming pool shall not
20 interfere with the use and enjoyment of the single-family
21 homes located adjacent to this property.

22 h) Medical waste shall not be stored on the property, and such
23 waste, if any, shall be disposed on a daily basis.

24 i) A fifty foot wide natural buffer area shall be established and
25 maintained along and adjacent to the north property line. No

vegetation plants or trees of any kind or nature shall be disturbed in the buffer area. Buildings or structures shall not be erected or constructed within the buffer area and no use shall be conducted within said area.

j) Any removal of regulated vegetation, plants or trees on the property shall be treated as if this property were zoned "OF: general office district" in accordance with Article VII of the Land Development Code.

k) The development shall provide six (6) paved off-street parking spaces. No grassed parking area is permitted or allowed on the property. The overflow mulched parking area shall be designed to accommodate seven (7) off-street parking spaces, and the area may be paved subject to minor development plan approval upon demonstrated need as follows:

- 1) Evidence furnished by the owner/operator as to volume and intensity of use.
- 2) Increased parking is directly related to the principal use of a chiropractic office.
- 3) The need is not caused by the intensity or operation of any accessory use.

l) The stormwater management facility shall be designed and maintained to serve all existing and proposed impervious areas, including the overflow parking area referenced in paragraph k above.

m) One ingress/egress driveway is allowed onto N.W. 39th Avenue.

Design construction and dimensions shall comply with requirements of Public Works and Traffic Engineering Departments of the City and Florida Department of Transportation requirements.

n) Only one free-standing sign is permitted. The maximum height shall not exceed six (6) feet and the maximum size of the sign shall not exceed eighteen (18) square feet. Signs may be indirectly illuminated and shall not cause glare to adjacent development or cause a safety problem to vehicular traffic. Except as expressly provided herein, all other requirements of Article IX shall govern and apply.

o) Except as expressly provided herein, the regulation of the use and development of the property described in Section 1 of this ordinance shall be governed as if this property were zoned "Single-family residential district (RSF-1: 3.5 units/acre)".

Section 5. The Development Plan approved in Section 3 of Ordinance No. 3612 is repealed in its entirety and shall not regulate the development and use of the land described therein.

Section 6. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

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

Section 8. This ordinance shall become effective immediately upon

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final adoption.

PASSED AND ADOPTED this 25th day of January,

1993.

ATTEST:

CLERK OF THE COMMISSION Joseph R. Hurt

MAYOR-COMMISSIONER Thomas B. McKnew

APPROVED AS TO FORM AND LEGALITY

BY:

MARION J. RADSON, CITY ATTORNEY
CITY OF GAINESVILLE, FLORIDA

JAN 26 1993

This ordinance passed on first reading this 11th day of
January, 1993.

This ordinance passed on second reading this 25th day of
January, 1993.

MJR/afm
12/14/92
C:DATA51 72PDV.PET

080565

DEVELOPMENT PLAN REPORT

for

A CHIROPRACTIC DOCTOR'S OFFICE

Date: April 13, 1992
Project site: 2730 NW 39th Avenue
Owner: Dr. William Carrick
802 NW 23rd Avenue
Gainesville, Florida 32601

Revised: July 2, 1992
August 21, 1992
November 9th., 1992
December 9th., 1992

Prepared by: Chance & Causseaux, Inc.
Engineers & Surveyors
Rory Causseaux
P.O. Box 15628
Gainesville, Florida 32604
(904) 372-5566

Purpose and Intent of the Project:

The proposed project is the rezoning of a 1.55 acre parcel located in Section 24, Township 9 South, Range 19 East, Gainesville, Florida. The property was formerly used as a daycare center under a PD Zoning which has since expired. The proposed zoning is PD to allow a chiropractic office (Standard Industrial Classification Code IN8041, 1987) with related accessory uses which are customary and incidental to the functions of a Chiropractor's Office. for 8041 (Standard Industrial Classification 1987) offices and clinics of a chiropractor, including normal incidental support staff and accessory uses (ie. acupuncturist, massage therapist, psychotherapist, and physical therapist). The project site was previously approved for a daycare facility and was occupied by a home daycare operation. A pool and playground areas exist. Prior to the home daycare use, the facility was a single-family residence.

The intent of the re-zoning is to limit the use of the property to one use, a Chiropractic Office IN 8041 (Standard Industrial Classification 1987) and accessory uses which are customary and incidental to the functions of a chiropractor's office. Instructional classes & staff meetings may be held a maximum of 3 times weekly at 7:00-9:30 p.m. Monthly seminars (9:00 a.m.- 5:00 p.m.) will be held on weekends (Saturday/Sunday) serving a maximum of 10 persons. The residential character of the site will be preserved and the proposed PD restrictions will insure the low density residential character of the area is maintained by prohibiting more than one primary structure on the site and restricting the use to the existing structure on the site. The residential and homelike atmosphere is in character with the proposed chiropractic medical use and adds a nature to the site to improve the clients healing process.

The above described use (for the referenced project site) complies with the goals and policies of the City's comprehensive plan. The office/residential uses are in keeping with the comprehensive plan in allowing health related service in a residential setting.

Internal and External Land Use:

The existing project site land use is a vacant home daycare facility that was approved for a nursery/daycare facility to allow up to 67 children.

The proposed project site land use is to allow for a low volume health care practitioner (specifically a chiropractor and accessory uses). The existing building facility will provide the primary structure on the site and serve as the office facility. Should the existing facility be destroyed or damaged in any way, the building may be repaired or rebuilt. The owner also reserves the right to improve the existing building so long as the improvements do not increase the gross square footage of building area by 350 sq.ft.

-1-Any expansion shall maintain the existing south line of the existing building with side setbacks of fifty (50') feet on the west and fifty (50') feet on the east. Placement of additional accessory structures for non-habitation shall be in accordance with general ordinance requirements and procedures for Development Plan review.

Any approved accessory structure may be placed north of the south line of the existing building. All creek and flood plain setbacks shall be applicable and a 40-foot setback shall be maintained on the west side. The east side shall have a 20-foot setback. Regardless of the size, any accessory structure shall require appropriate Development Plan review prior to obtaining a building permit.

Associated parking facilities will be constructed as required by the zoning code and as required by City regulations. The balance of the 1.55 acres will remain virtually unchanged. Therefore, the project site will maintain the residential appearance.

The adjacent properties are zoned PS with the exception of property to the northwest and north of the Three Lakes Creek, which is zoned RSF-2. NW 39th Avenue (SR-232) lies on the south side of the project site. The adjacent PS zoning is proposed lands for a City owned park facility. The RSF-2 zoned property is part of the Springtree Subdivision. The Three Lakes Creek provides a physical and natural buffer zone between the project site of the residential subdivision. In addition, a fifty (50') foot buffer will be maintained along the north property line. There is no visible residential development fronting NW 39th Avenue within the project site area.

The proposed land use will not alter the appearance of the land use and will maintain the open space and environmentally sensitive character of the site and will be compatible with the adjacent land uses. All uses on the property will be conducted within completely enclosed buildings. The only exception will be for the use of the pool facility.

Vehicular Circulation:

The proposed facility improvements will provide on-site parking facilities and internal traffic circulation facilities for pedestrians, vehicles, and bicycles. The existing driveway connection to NW 39th Avenue will be widened to comply with City and FDOT regulations. On-site parking facilities will comply with current parking requirements for medical offices (1 space per 200 GSF building area or 13 spaces). However, in order to maintain the present site characteristics, only 6 spaces will be paved and the balance will be designated as overflow mulched parking. The owner reserves the right to pave these spaces based upon the demand. The drainage facilities will be constructed to accommodate all 13 as

-2-paved. A new sidewalk will be constructed from the parking areas to the building to provide pedestrian accessibility. The parking facility will be constructed to minimize impacts to the project site (only three trees will be removed) to construct the 6 spaces. Garbage disposal will be by curb side pickup. No on-site dumpster.

The trip generation for the proposed facility is based upon 12.3 tpd/1000 GSF and is estimated to be 33 trips per day. The traffic impact to NW 39th Avenue (4 lane divided highway) is insignificant. The site will be restricted to only one access point to NW 39th Avenue.

Site Development Statistical Information:

Total Area (1.55 acres)	67,518 sq.ft.	100%
Building area (roof, storage area, & patio included)	3,155 sq.ft.	4.7%
Pool area	810 sq.ft.	1.2%
New Paved area (including s/w)	3,730 sq.ft.	5.5%
Total Impervious area	7,695 sq.ft.	11.4%
Open Space	59,823 sq.ft.	88.6%

The maximum building coverage allowed will be 3,505 sq.ft. or 5.2%. The maximum impervious ground cover allowed will be 10,000 sq.ft. or 15.0%, assuming all 13 spaces are eventually paved. The calculated residential density is zero. The site will be non-residential. Therefore, the number of dwelling units is zero. The commercial land uses are restricted to a chiropractor with incidental support staff and related health care accessory uses utilizing the single on-site building facility, gross floor area 2,660 sq.ft. The 1.55 acre project site will be restricted to the single use of chiropractor and related health care accessory uses. There are no lands devoted to publicly owned space.

A sign will be constructed near NW 39th Avenue, not to exceed 18 sq.ft. and not exceed 6 feet in height. The location will meet applicable codes and regulations.

Drainage Concept:

Runoff from the developed area will be intercepted with a new stormwater management facility (SMF). The new SMF will provide water quality treatment (on-site retention of the first 1 1/4 inch of runoff from the impervious area or the 1st 1/2 inch of runoff, whichever is greater), and water quantity treatment (detain the critical duration 25-year storm event with a post-developed discharge rate equal to or less than the pre-developed rate of discharge) prior to overland flow and discharge to the Three Lakes Creek.

-3-Generalized Landscape Plan:

The existing site consists of numerous tree and landscaped areas sufficient to meet or exceed City requirements. Trimming and utilization of existing landscape features is proposed in addition to a new hedge of relocated landscaped materials for the area between the new parking facility and NW 39th Avenue.

Design Standards:

The City of Gainesville Codes & Regulations General Accepted Engineering Practices and FDOT Rules & Regulations will be utilized as the design standards for all off-street parking facilities.

Development Schedule:

All proposed facility improvements are proposed as a single phase of construction to commence within 12 months of the date of approval by the City.

Summary:

The Planned Development rezoning and site improvements are proposed to allow a low volume health care practice (chiropractor facility with related health care accessory uses) in an office/residential setting. Development will be restricted to prohibit more than one primary structure on the site and restrict the use to the existing structure on the site allowing improvement to the existing building but restricting the improvement to a maximum of 350 sq.ft.. Minimum parking facilities will be required to comply with the City's zoning code. Open spaces and the environmental aesthetic character of the site will be retained. The surrounding zoning is PS (public service) with exception to the northwest and across Three Lakes Creek, which is RSF-2 (Springtree S/D). NW 39th Avenue (4-lane divided highway) is adjacent and to the south of the project site.

The proposed facility complies with the intent, goals, and objectives of the City's comprehensive plan and is compatible to the surrounding land uses. The office/residential uses are in keeping with the comprehensive plan in allowing health related services in a residential setting.

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EXHIBIT "C"

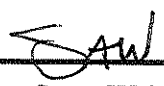
(Due to bulk and size, Exhibit "C" is on file with the Department of Community Development for inspection and review.)

080565

SITE PLAN EVALUATION SHEET

DEVELOPMENT PLAN & SUBDIVISION REVIEW EVALUATION**CURRENT PLANNING ROOM 158, THOMAS CENTER "B"****306 Northeast 6th Avenue 352-334-5023**

Petition No. <u>115PDA-08PB</u>	Date Plan Rec'd: <u>9/10/08</u>	Review Type: <u>Planned Development</u>
Review For: <u>Plan Board</u>	Review Date: <u>9/25/08</u>	Property Owner:
Project Description: An amendment to an existing planned development to allow for clinical/therapeutic health services as a primary use.		Three Lakes Creek, LLC
Location: 5200 Block of SW 41 st Blvd		Project Agent:
		Causseaux, Hewett and Walpole, Inc.

- | | |
|---|--|
| <input type="checkbox"/> Plan meets ordinance requirements as submitted | <div>Comments By:</div> <div></div> <div>Scott Wright
Planner</div> |
| <input checked="" type="checkbox"/> Revisions necessary for plan to meet ordinance requirements | |

RECOMMENDATIONS/REQUIREMENTS/COMMENTS

1. Any future change of uses on the site will require the issuance of a Zoning Compliance Permit.
2. The site is currently served by septic, and any future proposals for development on the site will need to be accompanied by the written approval of the Alachua County Health Department.

**CONCURRENCY REVIEW
PLANNING DIVISION - (352) 334-5022**

Sheet 1 of 1

Petition	<u>115PDA-08PB</u>	Date Received	<u>9/10/08</u>	<input checked="" type="checkbox"/> Preliminary
DRB	<input checked="" type="checkbox"/> PB <input type="checkbox"/> Other	Review Date	<u>9/25/08</u>	<input checked="" type="checkbox"/> Final
Project Name	<u>Alachua Health Services at Stillpoint</u>			<input type="checkbox"/> Amendment
Location	<u>2730 NW 39th Ave.</u>			<input type="checkbox"/> Special Use
Agent/Applicant Name	<u>Causseaux, Hewett, & Walpole</u>			<input checked="" type="checkbox"/> Planned Dev.
Reviewed by	<u>Onelia Lazzari</u> <i>OL</i>			<input type="checkbox"/> Design Plat
				<input type="checkbox"/> Concept

☒ Approvable (as submitted) ☐ Approvable (subject to below) ☐ Insufficient Information
☐ PD Concept (Comments only) ☐ Concept (Comments only)

RECOMMENDATIONS/REQUIREMENTS/COMMENTS

- The proposed changes to the Planned Development do not result in increased trip generation. This development therefore meets all transportation concurrency requirements, and this amendment does not need concurrency certification.

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SITE PLAN EVALUATION SHEET

BUILDING INSPECTION DEPARTMENT REVIEW


Petition No. 115PDA-08PB

Review Date: 9/18/08Review Type: Preliminary FinalReview For : Development Review Board Plan Reviewed: 9/18/08Description, Agent & Location: Three Lakes Creek -StillpointProject Planner: Scott Wright

☒ **APPROVABLE** ☐ **APPROVABLE** ☐ **DISAPPROVED** ☐ **CONCEPT**
SUBJECT TO COMMENTS

This site plan has been reviewed for compliance with Chapter 5 of the Standard Building Code & for accessible routes of the Florida Accessibility Code for Building Construction.
Complete code compliance plan review will be performed at Building Permitting.

Comments By:

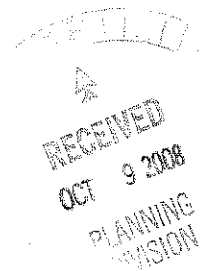


Buddy McGhin
Plans Examiner
PX0000545

REVISIONS / RECOMMENDATIONS:

10/09/08

No comments. Approved



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SITE PLAN EVALUATION SHEET

Urban Forestry Inspector 334-2171 – Sta. 27-First Review

Petition: 115PDA-08PB

Review date: 9/22/08

Review: PD Rezoning

Review For: Technical Review Committee

Planner: Scott

Agent: CHW for **Stillpoint** located at 2730 NW 39th Avenue.
(Amendment to PD)

☐

APPROVED

(as submitted)

☒

APPROVED

(with conditions)

☐

DISAPPROVED

☐ Tree Survey Required

☐ Landscape Plan Required

☐ Irrigation system required

☒ Attention to conditions (revisions/recommendations)

Comments by:

Earline Luhrman

Earline Luhrman
Urban Forestry Inspector

Conditions to Amend Planned Development

- Project will be in compliance with landscaping requirements for planned developments, street buffers (30-353), storm water management areas [30.251 (2) b, parking lot requirements, street trees on both side of the street on 50' canterers.
- No heritage (high-value) trees shall be removed for the rezoning.
- If dead or missing landscaping materials have died, landscaping will be replaced as a condition for the amendment request.

Impact on the Urban Forest will be determined at a later date.

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SITE PLAN EVALUATION SHEET

ENVIRONMENTAL REVIEW 334-5070 M.S. 58

Petition No. 115PDA-08PBReview Date: 9/25/08

Review Type:

Review For: Technical Review Committee Plan Reviewed: 9/25/2008Planned DevelopmentDescription, Agent & Location: Alachua Health Services at Stillpoint

Project Planner:

Causseaux, Hewett, & Walpole, Inc.2730 NW 39th AvenueScott Wright☒ **APPROVED**

(as submitted)

☐ **APPROVED**

(subject to below)

☐ **DISAPPROVED**

- ☐ Wetlands or wetland buffers must be shown.
- ☒ Creeks or creek setbacks must be shown.
- ☐ Lakes or lake setbacks must be shown.
- ☐ Significant ecological communities on site.
- ☐ Archaeological/historical sites on site.

Comments By:

Mark A. GarlandMark Garland
Environmental CoordinatorNOTES/RECOMMENDATIONS:

Environmental Review Screening - City of Gainesville

080565

Plan Submittal Cycle Date: September 24, 2008
Project Name: Alachua Health Services at Stillpoint
Parcel No.: 06080-000-000
Petition No.: 115PDA-08PB

Completed By: Mark A. Garland	Reviewed By:
Date: September 25, 2008	Date:

No.	Item	Comments/Source of Information
1	Surface Waters On-Site or Adjacent (specify type, location)	Three Lakes Creek forms the northern boundary of the property. (Site survey.)
2	Wetlands On-Site or Adjacent (specify type, location)	Wetlands may form a strip along Three Lakes Creek.
3	Describe Soils Present. Are Hydric Soils Present? If yes, Specify Location.	Soils are mapped as the non-hydric Millhopper sand, 0-5% slopes, in the southern half of the property, and the non-hydric, but clay-rich, Blichton sand, 5-8% slopes, in the northern half. (Alachua County Soil Survey.)
4	Buffers Required?	Yes: A minimum of 35 feet from the break in slope at the top of the bank of Three Lakes Creek, and an average of 50 feet from any wetland.
5	Describe Ecological Communities Present. Are Significant E.C. on-site or Adjacent?	The site is almost completely forested. Aerial photos suggest a mix of pines and oaks in the south, with more deciduous hardwood trees along Three Lakes Creek. Any creekside natural community may be locally significant. The City describes the adjacent Springtree Park as having "flatwoods with towering pines and fern covered slopes near Three Lakes Creek". (Gainesville web site.) These communities may also be significant.
6	Listed Species Probable or Present?	Listed amphibians, reptiles, or birds that use creek corridors might be found. Listed species are unlikely in the partially-developed uplands.
7	Are Wells Present on Property?	None known.
8	Karst Features on Property (Caves, Springs, Sinkholes, etc.)?	None known. (Alachua County Soil Survey, topographic maps.)
9	Topography	Sloping down from south to north, from 174 feet above sea level in the southeast corner to 155 feet along Three Lakes Creek (1-foot LIDAR contour maps.)
10	Historical and Archaeological Resources	None. (Florida Master Site File.)


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SITE PLAN EVALUATION SHEET

PUBLIC WORKS DEPARTMENT 334-5070 M.S. 58

Petition No. <u>115PDA-08PB</u>	Review Date: <u>9/24/08</u>	Review Type:
Review For : <u>Technical Review Committee</u>	Plan Reviewed: <u>9/25/2008</u>	<u>Special Use Permit</u>
Description, Agent & Location: <u>Stillpoint</u>	Project Planner:	
<u>CHW</u>	<u>5200 block of SW 41st Blvd.</u>	<u>Scott Wright</u>

☐ **APPROVED**
(as submitted)☐ **APPROVED**
(subject to below)☐ **DISAPPROVED**

- | | |
|---|--|
| <input type="checkbox"/> Alachua County Public Works approval required.
<input type="checkbox"/> F.D.O.T. approval required.
<input type="checkbox"/> SJRWMD permit is required.
<input type="checkbox"/> 100 Yr. critical duration analysis required.
<input type="checkbox"/> Treatment volume must be recovered within 72 Hrs. (F.S. of 2)
<input type="checkbox"/> Approved for Concurrency. | Comments By:

Rick Melzer P.E.
Development Review Engineer |
|---|--|

REVISIONS / RECOMMENDATIONS:

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SITE PLAN EVALUATION SHEET

DEVELOPMENT PLAN & SUBDIVISION REVIEW EVALUATION

CURRENT PLANNING ROOM 158, THOMAS CENTER "B"

306 Northeast 6th Avenue 352-334-5023

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Review For: <u>Plan Board</u>	Review Date: <u>9/25/08</u>	Property Owner:
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Location: 5200 Block of SW 41 st Blvd		Project Agent:
		Causseaux, Hewett and Walpole, Inc.

<input type="checkbox"/> Plan meets ordinance requirements as submitted	Comments By:
<input checked="" type="checkbox"/> Revisions necessary for plan to meet ordinance requirements	
	_____ Ellen Underwood GRU

RECOMMENDATIONS/REQUIREMENTS/COMMENTS

1. Sanitary sewer service is not available at this time. The petitioner will need to provide written approval from the Health Department for the use of the on site sewage disposal system before the issuance of final site plan approval.

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City of Gainesville
Solid Waste Division
Plan review

Date 9-16-08

Project Number; 115PDA-08PB

Project Name; ALACHUA HEALTH SERVICES at STILLPOINT

Reviewed by; Paul F. Alcantar ☐ Steve Joplin ☒

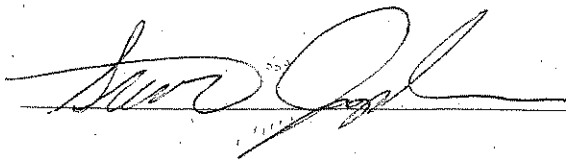
Comments

Need to see a plan for the storage and
collection of garbage and recyclables.

Approved ☐

Approved with conditions ☒

Disapproved ☐



Date 9-16-08

Petition 115PDA-08PB Causseaux, Hewett & Walpole, Inc., agent for Three Creek, LLC. An amendment to an existing planned development to allow for clinical/therapeutic health services as a primary use. Zoned: PD (Planned Development). Located at 2730 Northwest 39th Avenue.

Scott Wright, Sr. Planner gave the staff presentation and stated that this is an amendment to the existing PD to expand the currently allowed uses. Mr. Wright further stated that it is in a heavily wooded area that is surrounded by Residential uses to the north and northwest, with future land uses of Single Family Residential, Recreational and Public Facilities. Mr. Wright added that the PD is restricted to a primary use of a Chiropractic Office, and to allow for other similar primary uses, the PD can be simplified to allow the entire industry number which includes Chiropractic Office as well as several related industry numbers. Mr. Wright added that the exiting conditions on the PD will remain, however staff is proposing to add two new conditions:

- future developments on the site will require approval from the Health Department since it is on a septic system at this time
- the development order will be valid for three years from the PD approval

Brad Klosterman, representative for Causseaux, Hewitt & Walpole, Inc. stated that the 350 square foot limitation on an addition to the primary building and the 3505 square foot building coverage limitation are existing conditions in the PD. Mr. Klosterman further stated that he would like the revised PD to focus on the limitation on the building coverage to allow an addition to the primary use instead.

Mr. Reiskind inquired if septic tanks are still prevalent in residential areas with the city. Mr. Wright stated that is more prevalent than what most people would think; however this particular lot looked into extending the sewer system but because of where the house is in relation to the sewer lines it was not financially feasible. Mr. Wright added that the property is on central water just not on the sewer system.

Chair Cohen stated that he is in favor of this petition; however this site would not be able to conform to the current standards of a PD, and inquired if the petitioner had certain conditions to qualify for this PD. Ralph Hilliard, Planning Manager stated that the natural setting of this site is unique and has a low intensity type of use. Mr. Hilliard further stated that a new PD would change the character of the area that the neighborhood would like to protect.

Motion By: Randy Wells	Seconded By: Laura Guajardo
Moved To: Approve the planned development amendment with conditions as revised at the meeting, including the revised Planned Development Report that shall be further amended to exclude freestanding emergency medical (M.D.) centers from the uses permitted under S.I.C. No. 8011.	Upon Vote: 6 – 0.