

Legislative #  
150440

## ORDINANCE NO. 150440

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning certain property known as the Butler Development that is generally located north of Archer Road, west of SW 34<sup>th</sup> Street, east of I-75, and south of SW 24<sup>th</sup> Avenue, as more specifically described in this ordinance, to Planned Development District (PD); adopting a PD report with land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.**

**WHEREAS,** Planned Development District (PD) zoning is an entirely voluntary method for landowners or developers to submit unique proposals that are not provided for or otherwise allowed in the zoning districts established by the City of Gainesville Land Development Code; and

**WHEREAS,** Section 30-224(a) of the City of Gainesville Land Development Code provides that, with certain exceptions, an amendment to a previously approved Planned Development District (PD) may only be accomplished by a rezoning ordinance accompanied by a new proposed Planned Development District (PD); and

**WHEREAS,** on January 5, 2012, the City Commission adopted Ordinance No. 090538, which rezoned certain property known as the Butler Development to Planned Development District (PD) and provided certain PD maps, a PD report, and land development regulations; and

**WHEREAS,** on November 21, 2013, the City Commission adopted Ordinance No. 121108, which rezoned the Butler Development to Planned Development District (PD) by providing amended land development regulations and superseding and repealing Ordinance No. 090538; and

1       **WHEREAS**, by initiation of the owners of the property that is the subject of this  
2 ordinance to amend the Butler Development's Planned Development District (PD) zoning, notice  
3 of public meetings was given as required by law; and

4       **WHEREAS**, the City Plan Board, which acts as the Local Planning Agency pursuant to  
5 Section 163.3174, Florida Statutes, held a public hearing on October 22, 2015, and voted to  
6 recommend that the City Commission approve this rezoning; and

7       **WHEREAS**, on December 3, 2015, the City Commission held a public hearing and voted  
8 to approve the petition (Petition No. PB-15-92 PDA) associated with this ordinance; and

9       **WHEREAS**, at least ten (10) days' notice has been given once by publication in a  
10 newspaper of general circulation notifying the public of this proposed ordinance and of public  
11 hearings in the City Hall Auditorium located on the first floor of City Hall in the City of  
12 Gainesville; and

13       **WHEREAS**, public hearings were held pursuant to the notice described above at which  
14 hearings the parties in interest and all others had an opportunity to be and were, in fact, heard;  
15 and

16       **WHEREAS**, the City Commission finds that the rezoning of the subject property will be  
17 consistent with the City of Gainesville Comprehensive Plan when City of Gainesville Ordinance  
18 Nos. 150441 and 150456 become effective as provided therein.

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

21       **Section 1.**     The Zoning Map Atlas of the City of Gainesville is amended by rezoning  
22 the following described property to Planned Development District (PD):

1 See legal description attached as Exhibit "A" and made a part hereof as if set forth  
2 in full. The location of the property is shown on Exhibit "B" for visual reference.  
3 In the event of conflict or inconsistency, Exhibit "A" shall prevail over Exhibit  
4 "B".  
5

6 **Section 2.** The use and development of the property described in Section 1 of this  
7 ordinance shall be regulated by this ordinance and shall be consistent with the Butler  
8 Development Planned Use District (PUD) policies as set forth in the Future Land Use Element of  
9 the City of Gainesville Comprehensive Plan. The Butler Development PD Report, which  
10 includes the PD layout plan, is attached to this ordinance as Exhibit "C" and made a part hereof  
11 as if set forth in full. In the event of conflict or inconsistency, the order of regulatory precedence  
12 shall be as follows, with number 1 taking precedence over number 2 and so on: 1) the City's  
13 Comprehensive Plan; 2) Exhibit "C"; and 3) the City's Land Development Code.

14 **Section 3.** The development terms and conditions in this ordinance shall remain  
15 effective until such time as, upon either the City or the property owner filing a rezoning petition,  
16 the City adopts an ordinance rezoning the property described in Section 1 of this ordinance to  
17 another zoning district consistent with the Comprehensive Plan and Land Development Code.

18 **Section 4.** The City Manager or designee is authorized and directed to make the necessary  
19 changes to the Zoning Map Atlas to comply with this ordinance.

20 **Section 5.** If any word, phrase, clause, paragraph, section or provision of this ordinance  
21 or the application hereof to any person or circumstance is held invalid or unconstitutional, such  
22 finding shall not affect the other provisions or applications of this ordinance that can be given  
23 effect without the invalid or unconstitutional provision or application, and to this end the  
24 provisions of this ordinance are declared severable.

**Section 6.** Ordinance No. 121108 is hereby superseded in its entirety and is hereby repealed effective on the effective date of this ordinance. All other ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

**Section 7.** This ordinance shall become effective when the amendments to the City of Gainesville Comprehensive Plan in City of Gainesville Ordinance Nos. 150441 and 150456 both become effective as provided therein.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
EDWARD B. BRADY  
MAYOR

Attest:

Approved as to form and legality:

\_\_\_\_\_  
KURT M. LANNON  
CLERK OF THE COMMISSION

\_\_\_\_\_  
NICOLLE M. SHALLEY  
CITY ATTORNEY

This ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2016.

This ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2016.

## Legal Description

ALL THAT CERTAIN, PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING A PORTION OF SECTION 14 AND SECTION 15, TOWNSHIP 10 SOUTH, RANGE 19 EAST OF THE TALLAHASSEE BASE MERIDIAN, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT: COMMENCING FOR REFERENCE AT THE NORTHWEST CORNER OF SAID SECTION 14; THENCE, BEARING NORTH 89°18'59" EAST, ALONG THE NORTH LINE OF SAID SECTION 14, A DISTANCE OF 3970.77 FEET TO A POINT; THENCE, LEAVING SAID NORTH LINE, BEARING SOUTH 00°46'11" EAST, A DISTANCE OF 95.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°46' 11" EAST, A DISTANCE OF 237.58 FEET TO A POINT; THENCE SOUTH 85°03'37" WEST, A DISTANCE OF 439.90 FEET A POINT; THENCE SOUTH 85°38'38" WEST, A DISTANCE OF 253.93 FEET TO A POINT; THENCE SOUTH 30°52'25" WEST, A DISTANCE OF 280.45 FEET TO A POINT; THENCE SOUTH 87°21'28" WEST, A DISTANCE OF 64.88 FEET TO A POINT; THENCE NORTH 02°38'41" WEST, A DISTANCE OF 12.00 FEET TO A POINT; THENCE SOUTH 87°21'28" WEST, A DISTANCE OF 545.14 FEET TO A POINT; THENCE SOUTH 02°39'31" EAST, A DISTANCE OF 42.08 FEET TO A POINT; THENCE SOUTH 87°19'53" WEST, A DISTANCE OF 96.51 FEET TO A POINT; THENCE SOUTH 00°37'13" EAST, A DISTANCE OF 286.80 FEET TO A POINT; THENCE NORTH 88°22'49" EAST, A DISTANCE OF 6.50 FEET TO A POINT; THENCE SOUTH 00°37'16" EAST, A DISTANCE OF 223.00 FEET TO A POINT; THENCE SOUTH 89°22'44" WEST, A DISTANCE OF 15.00 FEET TO A POINT; THENCE SOUTH 00°37'16" EAST, A DISTANCE OF 60.00 FEET TO A POINT; THENCE NORTH 89°22'44" EAST, A DISTANCE OF 15.00 FEET TO A POINT; THENCE, SOUTH 00°37'16" EAST, A DISTANCE OF 10.00 FEET A POINT; THENCE, NORTH 89°19'10" EAST, A DISTANCE OF 125.08 FEET TO A POINT; THENCE, SOUTH 74°07'07" EAST, A DISTANCE OF 149.34 FEET TO A POINT; THENCE, SOUTH 55°00'59" EAST, A DISTANCE OF 36.41 FEET TO A POINT; THENCE, SOUTH 45°34'18" EAST, A DISTANCE OF 92.17 FEET TO A POINT; THENCE, SOUTH 71°04'16" EAST, A DISTANCE OF 155.36 FEET TO A POINT; THENCE, NORTH 88°09'11" EAST, A DISTANCE OF 171.38 FEET TO A POINT; THENCE, SOUTH 83°32'04" EAST, A DISTANCE OF 64.61 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF WINDMEADOWS BOULEVARD; THENCE, BEARING NORTH 33°06'23" EAST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 799.28 FEET TO A POINT OF CURVATURE; THENCE, ALONG A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 345.00 FEET, A CENTRAL ANGLE OF 56°17'13", A CHORD LENGTH OF 325.46 FEET BEARING NORTH 61°15'57" EAST; THENCE, NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 338.93 FEET TO A POINT; THENCE, BEARING NORTH 88°27'30" EAST, A DISTANCE OF 41.24 FEET TO A POINT OF CURVATURE; THENCE, ALONG A CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES SOUTH 00°38'25" EAST, A RADIAL DISTANCE OF 5,525.10 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 03°27'28", A DISTANCE OF 333.43 FEET TO A POINT OF CURVATURE; THENCE, ALONG A NON TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 5,450.10 FEET, A CENTRAL ANGLE OF 03°27'53", A CHORD LENGTH OF 329.51 FEET BEARING SOUTH 88°53'41" EAST; THENCE, EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 329.56 FEET TO A POINT OF CURVATURE; THENCE, ALONG A NON TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 2,283.20 FEET, A CENTRAL ANGLE OF 02°28'18", A CHORD LENGTH OF 97.65 FEET BEARING NORTH 88°06'21" EAST; THENCE, EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 97.65 FEET TO A POINT; THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE OF WINDMEADOWS BOULEVARD, BEARING NORTH 00°06'35" EAST, A DISTANCE OF 30.83 FEET TO A POINT; THENCE, BEARING NORTH 87°37'10" EAST, A DISTANCE OF 481.07 FEET TO A POINT OF CURVATURE, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF SOUTHWEST 34TH STREET (STATE ROAD 121); THENCE, ALONG A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES NORTH 88°43'37" EAST, A RADIAL DISTANCE OF 11,531.16 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 00°24'34", A DISTANCE OF 82.40 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE, LEAVING SAID WESTERLY RIGHT OF WAY LINE, ALONG A NON TANGENT CURVE CONCAVE SOUTHERLY AND ALONG THE SOUTH RIGHT OF WAY LINE OF WINDMEADOWS BOULEVARD, HAVING A RADIUS OF 2,263.20 FEET, A CENTRAL ANGLE OF 07°06'23", A CHORD LENGTH OF 280.53 FEET BEARING SOUTH 85°14'55" WEST; THENCE, WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 280.71 FEET TO A POINT OF CURVATURE; THENCE, ALONG A NON TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 2,338.20 FEET, A CENTRAL ANGLE OF 01°53'11", A CHORD LENGTH OF 76.98 FEET BEARING SOUTH 82°40'18" WEST; THENCE, WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 76.98 FEET TO A POINT; THENCE, LEAVING SAID SOUTHERLY RIGHT OF WAY LINE, BEARING SOUTH 03°44'53" EAST, A DISTANCE OF 104.08 FEET TO A POINT;

THENCE, BEARING SOUTH 47°34'21" EAST, A DISTANCE OF 182.73 FEET TO A POINT;

THENCE, BEARING SOUTH 47°28'11" EAST, A DISTANCE OF 77.03 FEET TO A POINT;

THENCE, BEARING NORTH 81°54'47" EAST, A DISTANCE OF 171.24 FEET TO A POINT OF CURVATURE ON THE WESTERLY RIGHT OF WAY LINE OF SAID SOUTHWEST 34TH STREET (STATE ROAD 121);

THENCE ALONG A NON TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 11,531.18 FEET, A CENTRAL ANGLE OF 00°34'58", A CHORD LENGTH OF 117.31 FEET BEARING SOUTH 03°24'25" EAST; THENCE, SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 117.31 FEET TO A POINT OF CURVATURE;

THENCE, ALONG A NON TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 116.25 FEET, A CENTRAL ANGLE OF 38°56'34", A CHORD LENGTH OF 73.86 FEET BEARING SOUTH 14°51'17" WEST; THENCE, SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 74.95 FEET TO A POINT OF CURVATURE ON THE NORTH RIGHT OF WAY LINE OF SOUTHWEST ARCHER ROAD (STATE ROAD No. 24);

THENCE, ALONG A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 5,807.58 FEET, A CENTRAL ANGLE OF 05°12'20", A CHORD LENGTH OF 527.45 FEET BEARING SOUTH 46°08'50" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 527.63 FEET TO A POINT;

THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 47°39'11" WEST, A DISTANCE OF 258.91 FEET TO A POINT OF CURVATURE;

THENCE, ALONG A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 449.91 FEET, A

CENTRAL ANGLE OF 07°26'33", A CHORD LENGTH OF 58.40 FEET, BEARING SOUTH 43°18'52" WEST;

THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 58.44 FEET TO A POINT;

THENCE, BEARING SOUTH 39°36'37" WEST, A DISTANCE OF 141.76 FEET TO A POINT;

THENCE, BEARING SOUTH 47°39'11" EAST, A DISTANCE OF 253.41 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SOUTHWEST ARCHER ROAD;

THENCE, RUNNING SOUTHWESTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SOUTHWEST ARCHER ROAD (STATE ROAD No. 24), THE FOLLOWING THREE (3) COURSES;

1. THENCE, ALONG A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 5,807.58 FEET, A CENTRAL ANGLE OF 01°39'20", A CHORD LENGTH OF 167.81 FEET BEARING SOUTH 40°44'36" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 167.82 FEET TO A POINT OF CURVATURE;

2. THENCE, ALONG A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 5,301.68 FEET, A CENTRAL ANGLE OF 04°11'27", A CHORD LENGTH OF 387.70 FEET, BEARING SOUTH 37°49'13" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 387.79 FEET TO A POINT;

3. THENCE, ALONG A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 5,170.68 FEET, A CENTRAL ANGLE OF 02°02'26", A CHORD LENGTH OF 184.13 FEET, BEARING SOUTH 36°49'36" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 184.14 FEET TO A POINT;

THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 50°23'23" WEST, A DISTANCE OF 257.05 FEET TO A POINT;

THENCE, BEARING SOUTH 39°40'19" WEST, A DISTANCE OF 153.99 FEET TO A POINT;

THENCE, BEARING SOUTH 50°16'53" EAST, A DISTANCE OF 259.68 FEET TO A POINT OF NON-TANGENT CURVATURE AND BEING ON THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHWEST ARCHER ROAD;

THENCE, RUNNING SOUTHWESTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHWEST ARCHER ROAD (STATE ROAD No. 24), AND ALONG A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 5,679.58 FEET, A CENTRAL ANGLE OF 01°57'53", A CHORD LENGTH OF 194.74 FEET, BEARING SOUTH 40°30'58" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 194.75 FEET TO A POINT;

THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 50°35'35" WEST, A DISTANCE OF 152.46 FEET TO A POINT;

THENCE, BEARING SOUTH 41°31'51" WEST, A DISTANCE OF 194.61 FEET TO A POINT;

THENCE, BEARING SOUTH 60°05'24" EAST, A DISTANCE OF 153.08 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHWEST ARCHER ROAD;

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THENCE, SOUTHWESTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHWEST ARCHER ROAD (STATE ROAD No. 24)

THENCE, ALONG A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 5,679.58 FEET, A CENTRAL ANGLE OF 03°42'19", A CHORD LENGTH OF 367.24 FEET BEARING SOUTH 45°04'47" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 367.30 FEET TO A POINT;

THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 43°28'20" WEST, A DISTANCE OF 110.15 FEET TO A POINT;

THENCE, BEARING SOUTH 55°55'38" WEST, A DISTANCE OF 65.00 FEET TO A POINT;

THENCE, BEARING SOUTH 46°31'40" WEST, A DISTANCE OF 30.86 FEET TO A POINT;

THENCE, BEARING SOUTH 43°28'20" EAST, A DISTANCE OF 119.38 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHWEST ARCHER ROAD;

THENCE, ALONG A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 5,679.58 FEET, A CENTRAL ANGLE OF 03°23'08", A CHORD LENGTH OF 335.58 FEET BEARING SOUTH 48°35'01" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 335.63 FEET TO A POINT;

THENCE, LEAVING SAID RIGHT OF WAY LINE, BEARING NORTH 25°38'36" WEST, A DISTANCE OF 294.09 FEET TO A POINT;

THENCE, BEARING SOUTH 88°14'28" WEST, A DISTANCE OF 73.00 FEET TO A POINT;

THENCE, BEARING SOUTH 07°56'34" EAST, A DISTANCE OF 158.67 FEET TO A POINT;

THENCE, BEARING SOUTH 57°39'11" WEST, A DISTANCE OF 219.24 FEET TO A POINT;

THENCE, BEARING SOUTH 32°20'49" EAST, A DISTANCE OF 212.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHWEST ARCHER ROAD;

THENCE, ALONG A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 5,679.58 FEET, A CENTRAL ANGLE OF 01°33'13", A CHORD LENGTH OF 154.00 FEET BEARING SOUTH 55°13'02" WEST; THENCE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 154.00 FEET TO A POINT OF CURVATURE;

THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, ALONG A NON TANGENT CURVE CONCAVE NORTH, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00", A CHORD LENGTH OF 35.36 FEET BEARING NORTH 79°00'00" WEST; THENCE, WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 39.27 FEET TO A POINT;

THENCE, BEARING NORTH 34°00'00" WEST, A DISTANCE OF 217.69 FEET TO A POINT;

THENCE, BEARING SOUTH 56°38'28" WEST, A DISTANCE OF 85.01 FEET TO A POINT;

THENCE, BEARING SOUTH 03°35'48" EAST, A DISTANCE OF 276.27 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHWEST ARCHER ROAD;

THENCE, ALONG SAID NORTHERLY RIGHT OF WAY LINE, BEARING SOUTH 57°58'54" WEST, A DISTANCE OF 1,020.22 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF S.W. 40TH BOULEVARD;

THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 32°01'03" WEST, A DISTANCE OF 324.00 FEET TO A POINT;

THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 57°58'54" EAST, A DISTANCE OF 545.30 FEET TO A POINT;

THENCE, BEARING NORTH 32°01'08" WEST, A DISTANCE OF 207.00 FEET TO A POINT;

THENCE, BEARING SOUTH 57°58'54" WEST, A DISTANCE OF 31.50 FEET TO A POINT;

THENCE, BEARING NORTH 32°01'06" WEST, A DISTANCE OF 156.50 FEET TO A POINT;

THENCE, BEARING SOUTH 57°58'54" WEST, A DISTANCE OF 60.92 FEET TO A POINT;

THENCE, BEARING NORTH 32°01'06" WEST, A DISTANCE OF 41.82 FEET TO A POINT;

THENCE, BEARING NORTH 57°58'54" EAST, A DISTANCE OF 6.42 FEET TO A POINT;

THENCE, BEARING NORTH 32°01'08" WEST, A DISTANCE OF 10.00 FEET TO A POINT;

THENCE, BEARING SOUTH 57°58'54" WEST, A DISTANCE OF 4.92 FEET TO A POINT;

THENCE, BEARING NORTH 32°01'06" WEST, A DISTANCE OF 175.58 FEET TO A POINT;

THENCE, BEARING NORTH 57°58'54" EAST, A DISTANCE OF 13.40 FEET TO A POINT;

THENCE, BEARING NORTH 32°01'08" WEST, A DISTANCE OF 90.00 FEET TO A POINT;

THENCE, BEARING NORTH 57°58'54" EAST, A DISTANCE OF 55.00 FEET TO A POINT;

THENCE, BEARING SOUTH 32°01'06" EAST, A DISTANCE OF 80.00 FEET TO A POINT OF CURVATURE;

THENCE, ALONG A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 45.00 FEET, A CENTRAL ANGLE OF 90°00'00"; A CHORD LENGTH OF 63.64 FEET BEARING SOUTH 77°01'06" EAST; THENCE, EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 70.69 FEET TO A POINT;

THENCE, BEARING NORTH 57°58'54" EAST, A DISTANCE OF 82.70 FEET TO A POINT;

THENCE, BEARING NORTH 00°25'02" WEST, A DISTANCE OF 379.11 FEET TO A POINT OF CURVATURE ON THE SOUTH RIGHT OF WAY LINE OF S.W. 39TH PLACE;

THENCE, ALONG A NON TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 880.00 FEET, A CENTRAL ANGLE OF 02°36'48", A CHORD LENGTH OF 30.10 FEET BEARING NORTH 89°30'16" WEST; THENCE, WESTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 30.10 FEET TO A POINT;

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THENCE, BEARING NORTH 00°48'40" WEST, A DISTANCE OF 80.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF S.W. 33RD PLACE;  
THENCE, BEARING SOUTH 89°11'03" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 581.50 FEET TO A POINT;  
THENCE, LEAVING SAID NORTH RIGHT OF WAY LINE, BEARING NORTH 00°45'12" WEST, A DISTANCE OF 293.31 FEET TO A POINT;  
THENCE, BEARING SOUTH 89°11'03" WEST, A DISTANCE OF 270.22 FEET TO A POINT;  
THENCE, BEARING NORTH 00°45'12" WEST, A DISTANCE OF 333.01 FEET TO A POINT;  
THENCE, BEARING SOUTH 89°07'56" WEST, A DISTANCE OF 758.98 FEET TO A POINT;  
THENCE, BEARING NORTH 00°38'26" WEST, A DISTANCE OF 281.64 FEET TO A POINT;  
THENCE, BEARING SOUTH 89°10'24" WEST, A DISTANCE OF 284.44 FEET TO A POINT;  
THENCE, BEARING SOUTH 89°32'35" WEST, A DISTANCE OF 557.43 FEET TO A POINT OF CURVATURE;  
THENCE, SOUTHWESTERLY, WITH A CURVE CONCAVE SOUTHEASTERLY, SAID CURVE HAVING A RADIUS OF 34.28 FEET, THROUGH A CENTRAL ANGLE OF 122°14'03", AN ARC LENGTH OF 73.09 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 28°25'45" WEST, 60.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SOUTHWEST 40TH BOULEVARD;  
THENCE, ALONG SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 32°41'44" WEST, A DISTANCE OF 121.19 FEET TO A POINT;  
THENCE, BEARING NORTH 32°40'44" WEST, A DISTANCE OF 246.37 FEET TO A POINT;  
THENCE, BEARING NORTH 32°42'29" WEST, A DISTANCE OF 149.89 FEET TO A POINT;  
THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, BEARING NORTH 89°34'20" EAST, A DISTANCE OF 861.90 FEET TO A POINT;  
THENCE, BEARING NORTH 00°40'37" WEST, A DISTANCE OF 862.98 FEET TO A POINT;  
THENCE, BEARING SOUTH 89°30'54" WEST, A DISTANCE OF 94.00 FEET TO A POINT;  
THENCE, BEARING NORTH 00°40'37" WEST, A DISTANCE OF 300.62 FEET TO A POINT;  
THENCE, BEARING NORTH 87°39'32" WEST, A DISTANCE OF 228.86 FEET TO A POINT;  
THENCE, BEARING NORTH 00°34'40" WEST, A DISTANCE OF 50.06 FEET TO A POINT;  
THENCE, BEARING NORTH 02°57'14" EAST, A DISTANCE OF 188.88 FEET TO A POINT;  
THENCE, BEARING NORTH 89°26'25" EAST, A DISTANCE OF 310.04 FEET TO A POINT;  
THENCE, BEARING NORTH 00°37'01" EAST, A DISTANCE OF 98.97 FEET TO A POINT;  
THENCE, BEARING SOUTH 20°27'52" EAST, A DISTANCE OF 105.21 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF S.W. 24TH AVENUE;  
THENCE, BEARING NORTH 88°08'15" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 183.84 FEET TO A POINT;  
THENCE, BEARING NORTH 89°19'16" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 1482.32 FEET TO A POINT OF CURVATURE;  
THENCE, EASTERLY, ALONG THE SOUTH RIGHT OF WAY LINE OF S.W. 24TH AVENUE, ALONG A CURVE CONCAVE NORTHERLY, SAID CURVE HAVING A RADIUS OF 17,228.73 FEET, THROUGH A CENTRAL ANGLE OF 00°15'07", AN ARC LENGTH OF 75.76 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 89°25'25" EAST, 75.76 FEET TO A POINT;  
THENCE, BEARING SOUTH 89°29'51" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 879.34 FEET TO A POINT;  
THENCE, BEARING SOUTH 75°08'20" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 135.38 FEET TO A POINT;  
THENCE, BEARING NORTH 89°18'56" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 60.00 FEET TO A POINT;  
THENCE, BEARING NORTH 73°48'38" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 175.30 FEET TO A POINT;  
THENCE, BEARING NORTH 89°18'56" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 487.58 FEET TO A POINT OF CURVATURE;  
THENCE, EASTERLY ALONG SAID RIGHT OF WAY LINE WITH A CURVE CONCAVE NORTHERLY, SAID CURVE HAVING A RADIUS OF 4337.18 FEET, THROUGH A CENTRAL ANGLE OF 05°15'24", AN ARC LENGTH OF 387.91 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 88°42'42" EAST, 387.77 FEET TO A POINT;  
THENCE, BEARING NORTH 84°03'22" EAST, A DISTANCE OF 89.33 FEET TO A POINT;  
THENCE, SOUTH 00°46'11" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 24.52 FEET TO A POINT;  
THENCE, NORTH 89°18'58" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 202.06 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 11,482,561 SQUARE FEET OR 263.60 ACRES MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

Together with:

Tax Parcel 06801-006-000

Commence at the Southeast corner of the Southwest quarter of the Northwest Quarter (SW ¼ of NW ¼) of Section 14, Township 10 South, Range 19 East, Alachua County, Florida; thence run West 270.57 feet; thence run North 186.65 feet; thence run East 270.46 feet; thence run South 166.65 feet to the point of beginning. The same being parcel number four (4) of an unrecorded survey made by the Perry C. McGriff Company, Inc., Surveyors of Gainesville, Florida, and dated January 6, 1965.

LESS AND EXCEPT a parcel of land situated in Section 14, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

For a Point of Reference commence at the Northwest corner of the Southwest quarter of said Section 14; thence run along the North line of the South half of said Section 14 North 89°11'20" East, a distance of 1,055.32 feet to the POINT OF BEGINNING; thence run North 01°16'40" West, a distance of 40.00 feet; then run North 89°11'20" East, a distance of 270.39 feet; thence run South 01°16'40" East, a distance of 40.00 feet to the aforesaid North line of the South half of said Section 14; thence run along said North line South 89°11'20" West, a distance of 270.39 feet to the POINT OF BEGINNING. Containing 0.248 acres, (or 10,802.21 square feet), more or less.

(Source: Official Records Book 4051 Page 1415)

Tax Parcel 06801-007-000

Commence at the Southeast corner of the Southeast One-Quarter of the Southwest One-Quarter (SE ¼ of the SW ¼) of the Northwest One-Quarter (NW ¼) of Section 14, Township 10 South, Range 19 East, and run North a distance of 166.65 feet to the Point of Beginning; thence run North 166.65 feet; thence run West 270.34 feet; then run South 166.65 feet; thence run East 270.46 feet to the Point of Beginning, said tract of land also known as Parcel #3 of unrecorded survey prepared by Perry C. McGriff on January 6, 1965.

(Source: Official Records Book 4079 Page 1520)

Tax Parcels 06803-001-000 and 06803-001-001

Commence at the Northwest corner of the Southeast Quarter of Section 14, Township 10 South, Range 19 East, and run South 305 feet; thence run East 427 feet to the Point of Beginning; thence run South 8 degrees 52 minutes East 381.2 feet to the North right-of-way line of State Highway Number 24; thence run Northeasterly along said Highway 185 feet; thence run North 24 degrees 35 minutes West 294.2 feet; thence run West 73 feet to the Point of Beginning, being more accurately described as follows:

Commence at the Northwest corner of the Southeast quarter of Section 14, Township 10 South, Range 19 East and run South 305 feet; thence East 427 feet to the Point of Beginning; thence run South 06° 52' 00" East, 381.20 feet to the North right-of-way line of State Road No. 24; thence run Northeasterly along said right-of-way line with a curve concave Northwestwardly, said curve having central angle of 01° 52' 50", a radius of 5679.58 feet, an arc length of 186.42 feet and a chord bearing and distance of North 53° 28' 53" East 186.42 feet to the Southwest corner of that parcel as described in Deed Book 261, Page 469, at the Public Records of Alachua County, Florida, thence run North 24° 35' 00" West, along the West line of said parcel 294.20 feet to the Northwest corner thereof; thence run West 73.00 feet to the Point of Beginning.

ALSO DESCRIBED AS FOLLOWS:

PARCEL A:

A parcel of land lying in Section 14, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

For a point of reference commence at the Northwest corner of the Southeast Quarter (SE ¼) of said Section 14 and run South 305.00 feet; thence run East 427.00 feet, thence run South 06° 52' 00" East, a distance of 141.89 feet to the Point of Beginning; thence continue South 06° 52' 00" East, a distance of 240.00 feet to a point on the North right of way line of State Road No. 24 and lying on a curve concave Northwesterly and having a radius of 5679.58 feet; thence run Northeasterly, along said right of way line and along the arc of said curve, through a central angle of 01° 52' 50", an arc distance of 186.42 feet and a chord bearing and distance of North 53° 16' 13" East, 186.41 feet; thence run North 24° 32' 41" West, departing from said right of way line, a distance of 212.93 feet; thence run South 53° 16' 13" West, a distance of 111.85 feet to the Point of Beginning.

**PARCEL B:**

A parcel of land lying in Section 14, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

For a point of reference commence at the Northwest corner of the Southeast Quarter (SE ¼) of said Section 14 and run South 305.00 feet; thence run East 427.00 feet to the Point of Beginning; thence run South 06° 52' 00" East, a distance of 141.89 feet; thence run North 53° 16' 13" East, a distance of 111.85 feet; thence run North 24° 32' 41" West, a distance of 80.90 feet; thence run North 89° 41' 27" West, a distance of 73.00 feet to the Point of Beginning.

(Source: Official Records Book 4023 Page 1231)

**Tax Parcel 06803-004-000**

A parcel of land situated in Section 14, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

For a point of reference commence at the Northwest corner of the Southwest ¼ of said Section 14; thence run along the North line of the South ½ of said Section 14, North 89° 11' 20" East, a distance of 2231.17 feet; thence run South 03° 05' 27" East, a distance of 309.08 feet; thence run North 89° 01' 23" East, a distance of 430.87 feet; thence run South 03° 35' 46" East, a distance of 397.97 feet to the Point of Beginning; thence run South 34° 00' 00" East, a distance of 216.99 feet to a Point of Curvature of a curve concave Northwesterly having a radius of 25 feet; thence run Southwesterly along the arc of said curve through a central angle of 91° 22' 02", an arc distance of 39.87 feet and a chord bearing and distance of South 11° 41' 01" West, 35.77 feet to a point of a compound curvature of a curve concave Northwesterly and having a radius of 5,679.58 feet, said point being situated on the Northwesterly right of way line of Archer Road (State Road No. 24); thence run Southwest along said right of way line along the arc of said curve through a central angle of 00° 36' 52", an arc distance of 60.90 feet and a chord bearing and distance of South 57° 40' 28" West, 60.90 feet; thence continue along said right of way South 57° 58' 54" West, a distance of 53.45 feet; thence run North 03° 35' 46" West, a distance of 276.37 feet to the Point of Beginning.

(Source: Official Records Book 4127 Page 596)

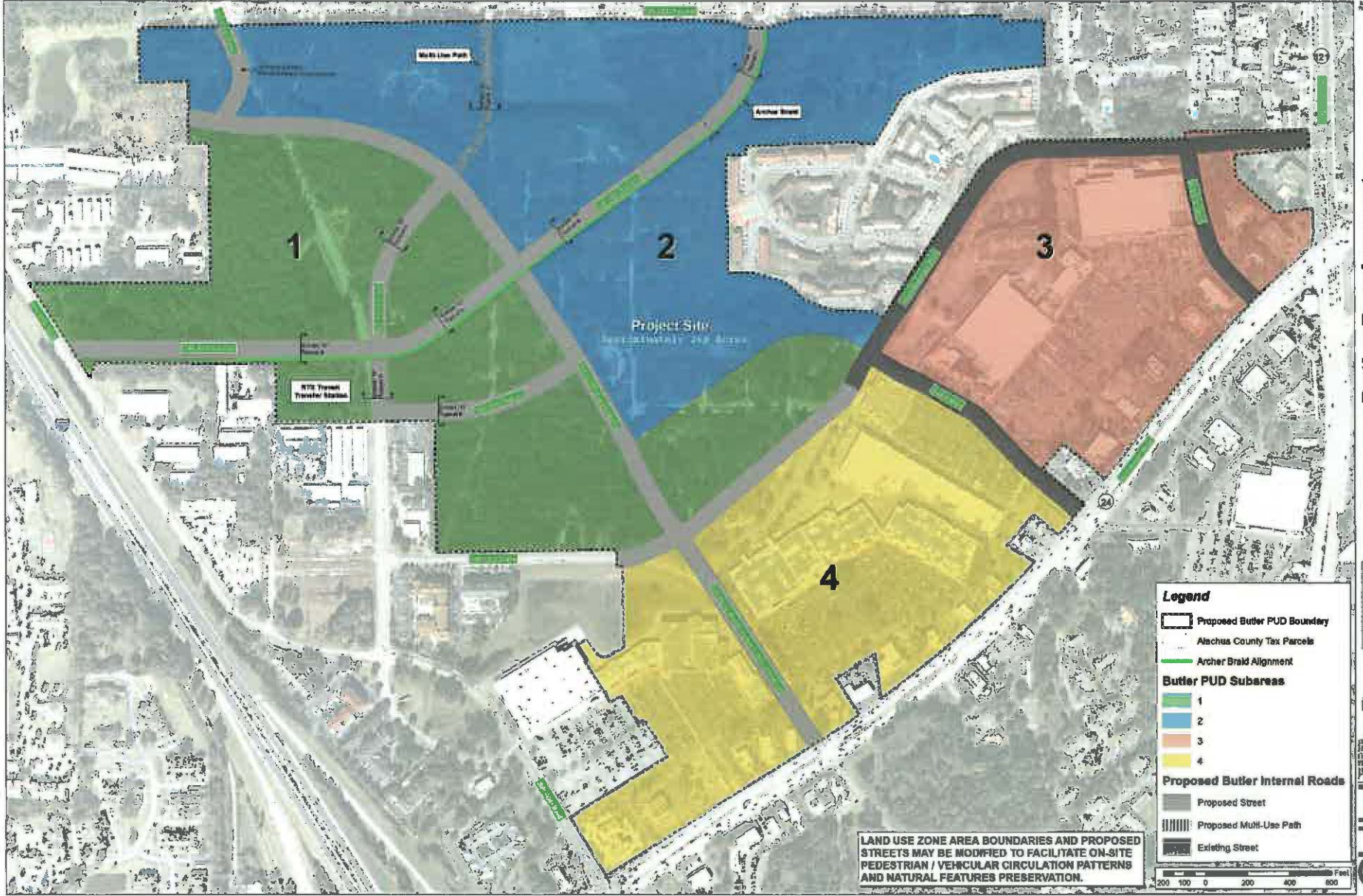
**LEGAL DESCRIPTION:**

A tract of land situated in the Northeast quarter of Section 14, Township 10 South, Range 19 East, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the Northeast corner of Section 14, Township 10 South, Range 19 East, and run South 00 deg. 02 min. 47 sec. West, along the East line of said Section 14, a distance of 1258.82 feet to the survey line of State Road No. 24; thence run along said survey line with a curve concave Southeasterly, said curve having a central angle of 09 deg. 10 min. 17 sec. a radius of 5729.58 feet, an arc length of 917.14 feet and a chord bearing and distance of South 45 deg. 16 min. 53 sec. West, 916.16 feet; thence run North 49 deg. 18 min. 15 sec. West, a distance of 78.00 feet to a point on the Northerly right-of-way line of State Road No. 24, said point being the Point of Compound Curvature of said right-of-way line; thence run along said right-of-way line and along the arc of said curve through a central angle of 01 deg. 39 min. 49 sec. an arc distance of 168.64 feet and a chord bearing and distance of North 41 deg. 24 min. 24 sec. East, a distance of 168.63 feet to the Point of Beginning; thence run North 46 deg. 57 min. 54 sec. West, a distance of 253.48 feet; thence run North 40 deg. 17 min. 54 sec. East a distance of 141.76 feet to the Point of Curvature of a curve concave Southeasterly and having a radius of 450.00 feet; thence run Northeasterly along the arc of said curve through a central angle of 07 deg. 26 min. 29 sec. an arc distance of 58.44 feet and a chord bearing and distance of North 44 deg. 01 min. 08 sec. East, 58.40 feet; thence run South 46 deg. 57 min. 54 sec. East, a distance of 259.91 feet to the aforesaid Northerly right-of-way line of State Road No. 24, point also being on a curve concave Southeasterly and having a radius of 5807.58 feet; thence run Southwesterly along the arc of said curve through a central angle of 01 deg. 58 min. 23 sec. an arc distance of 200.00 feet and a chord bearing and distance of South 43 deg. 13 min. 30 sec. West, 199.99 feet to the Point of Beginning. Containing 1.182 acres, more or less.

SUBJECT TO a 15-foot Public Utilities Easement lying in the Southeasterly 15 feet of said described property, as per O.R. 1644, pages 524-529. Also subject to a 10-foot Sanitary Sewer Easement as shown on survey.

(Olive Garden tax parcel # 06810-001-020)



# **BUTLER ENTERPRISES**

## *Planned Development (PD) REPORT*

***Prepared for Submittal to:***  
City of Gainesville, Florida

***Prepared on Behalf of:***  
S. Clark Butler Properties, LTD., et. al.

***Prepared by:***



**Causseaux, Hewett, & Walpole, Inc.**  
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**December 11, 2015**

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**BUTLER ENTERPRISES  
PLANNED DEVELOPMENT (PD) REPORT**

**Purpose and Intent**

The subject property is commonly referred to as the "Butler Development" and is generally located between SW Archer Road and SW 24<sup>th</sup> Avenue and between SW 40<sup>th</sup> Boulevard and SW 34<sup>th</sup> Street. The City Commission on January 5, 2012, adopted Ordinance No. 090538 and rezoned the Butler Development to Planned Development District (PD), which is a zoning district that allows landowners or developers to submit unique proposals that are not provided for or otherwise achievable in the zoning districts established by the City of Gainesville Land Development Code. Subsequently, the City Commission on November 21, 2013, adopted Ordinance No. 121108 and amended the Butler Development PD by adding several additional outparcels along Archer Road and revising the overall layout and certain development requirements. The landowner/developer of the Butler Development now requests another amendment to the PD. If adopted, Ordinance No. 150440 will amend the Butler Development PD by adding another outparcel along Archer Road (the current site of the Olive Garden restaurant) and making minor revisions and updates to certain requirements in this PD Report.

PD Ordinance No. 121108 did not increase the entitlements previously afforded, but primarily created a more practicable plan for infrastructure, relocated the Town Center, provided flexibility in implementation, and incorporated several small contiguous parcels into the PD. PD Ordinance No. 121108 also enabled reuse, redevelopment, and reorientation of the PD's developed portions, created a functional transportation network, and allowed a Town Center form and aesthetic to be created, making this area of Archer Road less fractured.

Generally, the current PUD and PD entitle the development for a mix of commercial, retail, service, office, hotel, and residential uses. These entitlements remain unchanged, as illustrated by Table 1 below:

**Table 1: Entitlements**

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

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

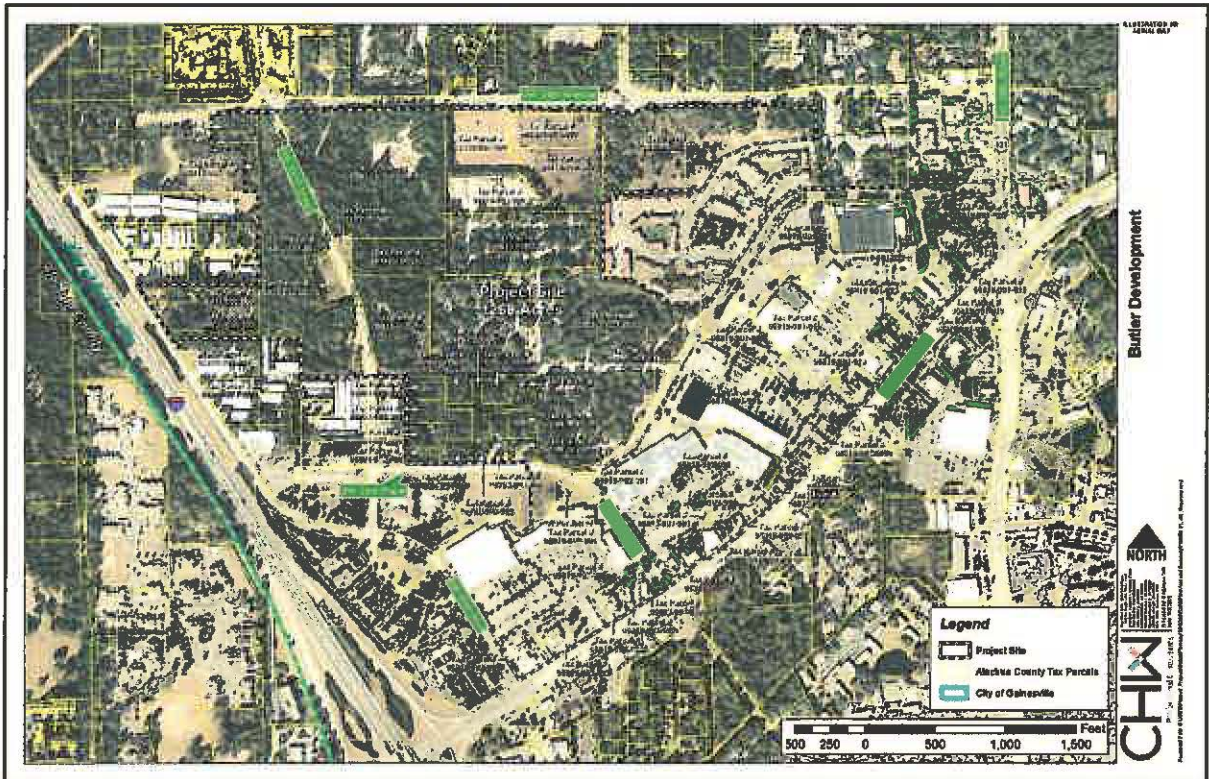


Figure 1: Site

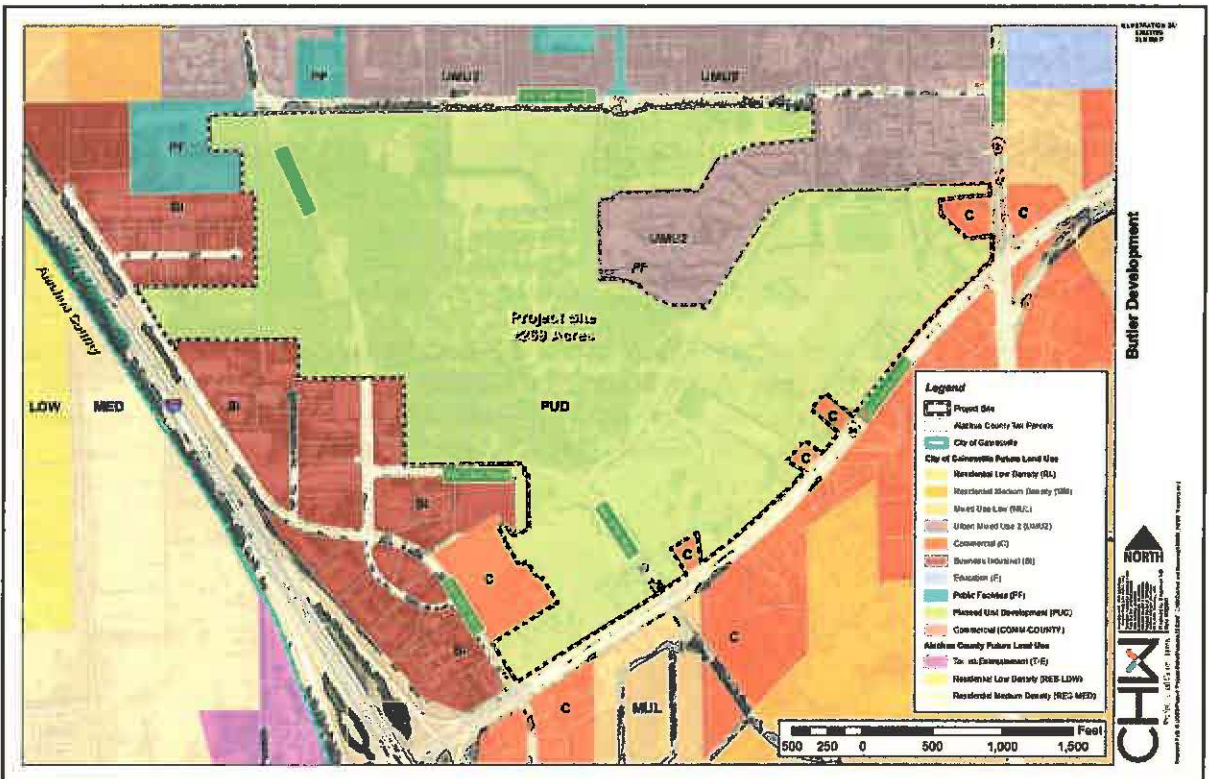
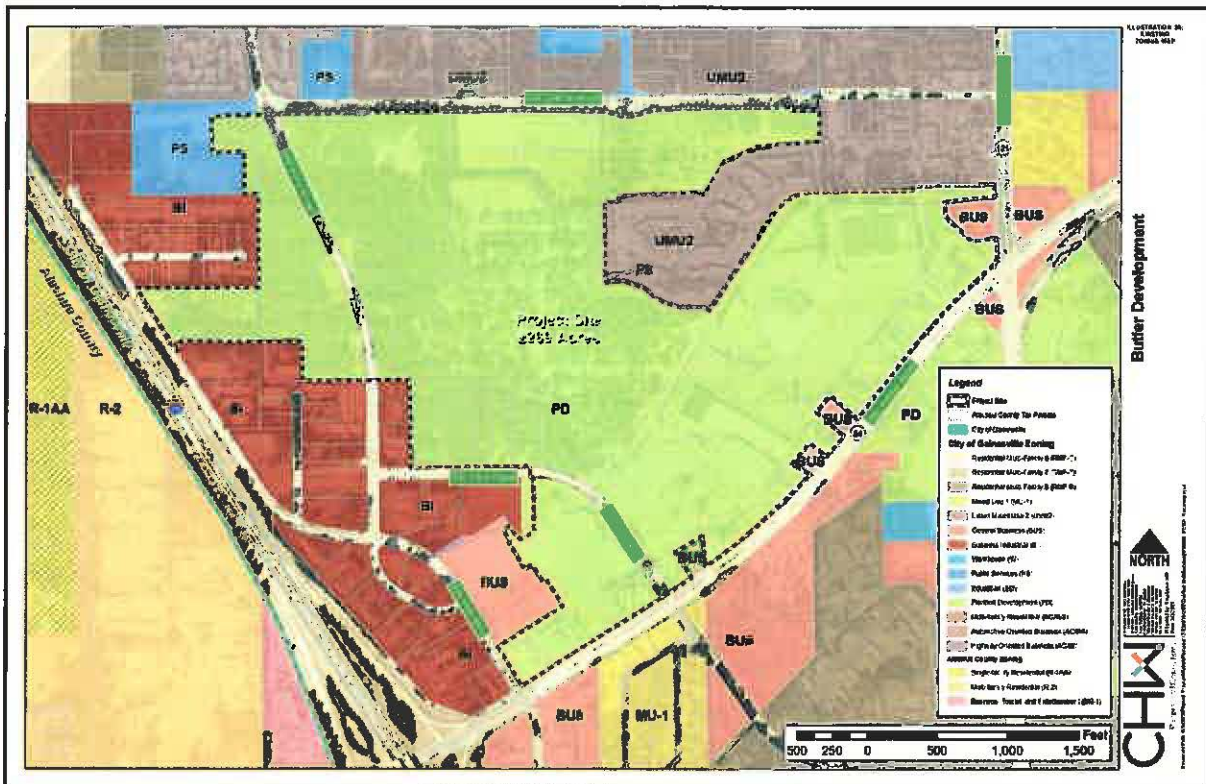


Figure 2: Future Land Use Map



**Figure 3: Zoning Map**

Surrounding FLU and Zoning designations are identified in Figures 2 and 3, respectively, and summarized in Table 2. Generally, to the site's north is a mixture of undeveloped parcels and multi-family developments. To the site's south is the Archer Road commercial corridor. To the site's west are properties entitled for business/industrial uses, and include a self-serve car wash, a self-storage facility, an industrial park, and various offices. To the site's east are apartments and the SW 34<sup>th</sup> Street/Archer Road intersection, which includes various commercial uses (e.g. gas station, restaurants, retail, etc).

**Table 2: Surrounding Future Land Use and Zoning Designations**

Direction	Future Land Use Designation	Zoning Designation
North	Urban Mixed Use 2 (UMU 2) and Public Facilities (PF)	Urban Mixed Use 2 (UMU 2) and Public Services (PS)
South	Commercial (C) and Mixed Use Low (MUL)	General Business (BUS), Mixed Use 1 (MU-1), and Planned Development (PD)
West	Business Industrial (BI) and Public Facilities (PF)	Business Industrial (BI) and Public Services (PS)
East	Urban Mixed Use 2 (UMU 2) and Commercial (C)	Urban Mixed Use 2 (UMU 2) and General Business (BUS)

## Statistical Information

Table 3 Entitlement Standards identifies the permissible residential and non-residential PD entitlements. The PD entitlements may be located in any Subarea, subject to the PD design standards outlined in Table 6.

**Table 3: Entitlement Standards**

Description	PD Total Area
Total Site Acreage	± 268.3
Entire PD maximum building coverage	Subarea 1: 50% Subarea 2: 70% Subarea 3 & Town Centers: 90% Subarea 4: 50%
Entire PD maximum impervious ground coverage	80%
Maximum number of dwelling units	1,000 units
Nonresidential Uses	Commercial: 2,500,408 square feet Office: 250,000 square feet Hotel: 500 rooms

The maximum cumulative development program for the PD is limited to 37,591 average daily trips, as calculated by the most current ITE Trip Generation Manual.

**Table 4: Permitted Uses**

Permitted Use	Additional Criteria
Single-family attached and multi-family, including accessory uses and amenities	Twenty percent (20%) of the units shall be "affordable" pursuant to FLUE Policy 4.3.6, as may be amended or renumbered.
Retail sales, including discount and specialty retail	Subject to specific limitations as to building footprint maximums contained herein
Personal services	N/A
Hotels, motels, and bed & breakfast establishments	N/A
Restaurants and cafes, including outdoor cafes as an accessory use	N/A
Theaters	N/A
Nursing homes, assisted living facilities, and day care centers	N/A
Alcoholic beverage establishments	Consistent with special use regulations in the Land Development Code
Private street closures for special events, including temporary on-street sales and service of alcoholic beverages	Consistent with special event regulations in the Land Development Code
Veterinary and animal care services	Must occur within fully enclosed building
New and used motor vehicle sales	Outside display or storage of vehicles is prohibited
Limited automotive services	Subareas 1 & 4 only consistent with the Comprehensive Plan and Land Development Code
Drive-through facilities as accessory uses to permitted principal uses	Consistent with General PD Design Standard #3

<b>Table 4 (Continued)</b>	
Up to two (2) wireless communications towers	Subarea 1 only; consistent with special use regulations in the Land Development Code
Construction trade, landscape, and horticulture services	N/A
A maximum of two (2) facilities with gasoline and alternative fuel sales are permitted within Subarea 4, and one (1) facility with gasoline and alternative fuel sales is permitted within Subarea 1, with up to 12 fueling positions in each facility.	Consistent with the special use regulations in the Comprehensive Plan and Land Development Code
Business, professional, financial, government, and medical/dental offices, including health services	N/A
Civic uses and organizations (e.g. museums, art galleries, schools, private schools, etc.)	N/A
Temporary sales of motor vehicles with outdoor display and sales (e.g. "tent" sales)	<p>Events by licensed dealers shall be allowed by special event permit only in Subareas 1, 2, and 4, and subject to the following restrictions:</p> <ol style="list-style-type: none"> <li>1. The sales event shall not exceed four (4) consecutive days.</li> <li>2. A maximum of 12 sales events per year.</li> <li>3. A maximum of 200 vehicles per sales event.</li> </ol>
Showcase vehicle outside display	<p>In all subareas, subject to the following restrictions:</p> <ol style="list-style-type: none"> <li>1. A maximum of three (3) showcase vehicles per subarea.</li> <li>2. A showcase vehicle shall not be located in a parking space.</li> <li>3. A showcase vehicle shall not interfere with pedestrian traffic.</li> <li>4. General locations shall be identified on development plans at final development plan approval.</li> </ol>
Vehicle Show Events (No Retail Sales)	<p>In all subareas, by special event permit and subject to the following restrictions:</p> <ol style="list-style-type: none"> <li>1. The vehicle show event shall not exceed four (4) consecutive days.</li> <li>2. A maximum of 12 vehicle show events per year.</li> <li>3. A maximum of 200 vehicles per show event.</li> </ol>

## **Town Center Requirements**

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

**Table 5: Town Center Minimum Entitlements**

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

## **PD Development Standards**

The following PD Development Standards are grouped by subject into subsections for design standards, signage, landscaping, and stormwater management.

### ***General PD Design Standards***

The following items are general PD design standards. Table 6 contains specific design standards categorized by Subarea. Additional design standards for a Town Center augment those identified in Table 6.

1. No more than six (6) single-occupant, single-story buildings with ground floor footprints exceeding 150,000 square feet shall be allowed within the PD.
2. Outside storage and display areas are limited to 25% of the primary use floor area, may not be located within 50' of a public right-of-way or residential use. Outside storage and display areas shall be designated on development plans.
3. Drive-through facilities, accessory to principal uses, are permitted in all Subareas, consistent with the following requirements:
  - a. Provision of safe pedestrian and bicycle routes which connect to the street sidewalk and adjacent developments and do not cross drive-through lanes;
  - b. Bicycle parking located near building entrances;
  - c. Adequate queuing space for vehicles such that there is no back-up of traffic onto adjacent roadways;
  - d. Provision of a by-pass lane or sufficient driveway area around the drive-through lanes to assist internal vehicular circulation;
  - e. Location of drive-through lanes away from primary street frontages and along the side or rear of buildings (for corner lots, drive-through lanes may be located only along the secondary street and only when screened by additional landscaping including 65-gallon semi-evergreen shade trees and a row of shrubs or garden wall). For the purposes of drive-through facilities, primary street frontages are identified by the location of a building's primary public entrance (i.e. front door);
  - f. Provision of an appropriate number of drive-through lanes based on the operating conditions of the impacted public streets and operational and safety concerns at the site, not to exceed four total lanes per use within Subareas 1, 2, and 4. One drive-through lane is permitted for each use within Subarea 3, and with up to four (4) permissible by grant of a Special Use Permit;
  - g. No direct driveway connections to public right-of-way or private streets; and
  - h. Design of access points and ingress/egress directional flows to minimize impacts on the internal access roadway and non-motorized traffic.
4. Structured parking facilities.

- Structured parking shall provide architectural detailing on the first and second stories, such as, but not limited to, variations in materials, framing of wall openings, vertical or horizontal expression lines, pilasters, arches, or railings.
  - Automobiles shall be screened from street view by wall, fence or vegetative matter.
  - For public street frontage facades, parking structures shall contain first-floor liner commercial or office uses. Structured parking that is integrated with and connected to commercial, office, or multi-family residential buildings shall not be required to contain office or retail uses along the first-floor street frontage.
  - Structured parking may provide spaces in excess of the maximums identified in the Land Development Code.
5. With each development plan within the PD, pedestrian and bicycle facilities shall be provided, the exact location of which will be determined during the development review process. All Subareas will include an interconnected system of sidewalks or multi-use paths sufficient to ensure pedestrian and bicycle accessibility to all development, open or civic space, and the public realm. Pedestrian and bicycle facilities shall link streets, buildings, parking, transit facilities, and open space areas within and among the subareas. A network of sidewalks and street trees shall be provided on all internal streets (public and private) and maneuvering lanes. Sidewalks and pathway connections shall be made from the internal pedestrian system to the public right-of-way adjoining the PD.
  6. Right-in/right-out access on SW 62<sup>nd</sup> Boulevard Subarea 1 shall be permitted for large scale retail. Out parcels or out lots in Subarea 1 shall only access internal to the large scale retail parking areas, and have no direct access to SW 62<sup>nd</sup> Boulevard. Outparcel driveways or access connections to SW 62<sup>nd</sup> Boulevard in all other subareas is prohibited. Buildings fronting SW 24<sup>th</sup> Avenue shall locate parking to the side or rear. In Subarea 1, with the exception of large-scale retail uses (single-occupant, single-story buildings over 100,000 square feet), any buildings fronting other public streets shall provide no more than a double-loaded row of parking between the building and the street.
  7. One or more usable parks, squares, or plazas totaling at least 2 acres (with none less than 10,000 square feet) shall be provided within the PD. These parks, squares or plazas shall be constructed, owned and maintained by the Developer (S. Clark Butler Properties LTD and their successors and assigns).
  8. When facing a public or private street, or main street, each use is required to provide a functional entrance facing the street.
    - The entrance shall be indicated on building elevations through the inclusion of awnings, arcades, porches, archways or similar entry features, and by providing a level of architectural detailing that is comparable to other entrances.
    - Where a use has facades on two street frontage facades, an entrance is only required to face one of the streets.

- Corner entrances that are diagonally facing the street are acceptable to satisfy this requirement.
- These entrances shall provide a minimal amount of cover from weather in the form of a recess, awning, or similar feature.

9. Glazing/Transparency:

- a. Glazing shall be provided along each front facade. Glazing requirements within each subarea shall be provided at the percentage in Table 6: PD Design Standards by Subarea, and shall be calculated as shown on Figure 4: Glazing Requirements Diagram. Glazing shall first be applied between 3' and 8' Above Finished Floor (AFF) for each habitable floor to satisfy the minimum glazing area requirements; however, the City Manager or their designee may grant a waiver to enable glazing to be satisfied between 0' and 10' AFF for each floor. Minimum glazing requirements apply to buildings not individual store fronts.
  - b. Glazing is not required on sides or the rear of buildings within Subareas 1, 2, or 4. Within Subarea 3, glazing is not required on the interior sides or rear of buildings, but is required on the sides of the building facing streets or maneuvering lanes, as indicated in Table 6: PD Design Standards by Subarea.
  - c. Glazing requirements may be met by glazing that provides 80% minimum transmittance, in the form of windows, show windows, glass doors, and similar design features. Alternatively, not more than 50% of the required glazing area may be met by the following, providing it is approved through grant of a modification of standards by the City Manager or designee, or by the reviewing board.
    - i. Shutters or Louvers: Shutters, louvers, blinds or similar features designed to appear as shuttering an opening into the building, providing that they maintain the appearance of a functional window.
    - ii. Spandrel or Backlit Glazing: Spandrel or translucent backlit glazing designed to appear as a window or door opening.
    - iii. Wall Fountain or similar design feature: Use of fountains or other architectural features on the wall to add interest.
10. Screenwalls, retaining walls, and garden walls shall be constructed of materials similar to those used on adjacent buildings.
11. Awnings may be provided on buildings, but may not be used to comply with the building articulation requirements unless they are substantial enough to be considered permanent components of the building.
12. Mechanical equipment shall be located behind screen walls, interior to buildings or on building roofs, and screened from public view.
13. Solid waste and recycling facilities, and loading areas shall be screened from public/private streets, maneuvering lanes, and non-PD properties, and located a minimum of 5 feet from any public/private street, providing that odor and noise mitigation is in place, or 30 feet otherwise. Trash and recycling locations shall be defined and

permanently screened with walls, fences, and/or landscaping. The height of trash and recycling collection devices shall not exceed screening height.

14. The development of public streets and pedestrian right-of-ways shall be consistent with the location, street types and cross-sections as depicted on the PD Layout Map included as Attachment I and the Typical Sections included as Attachment II. With the exception of SW 62<sup>nd</sup> Boulevard and streets not shown on the PD Layout Map, all streets shall be designed consistent with the cross sections identified in Attachment II. Minor adjustments to the location of streets and pedestrian right-of-ways may be approved through the development review process, where it is demonstrated that these adjustments will not affect the overall layout and function of the approved street grid system.
15. There is a maximum perimeter block length of 2,000 feet for Subareas 2, 3, and 4. Within Subarea 1, the perimeter block length cannot exceed 3,200 feet. For purposes of the PD, "block" means a lot or lots surrounded by public streets, private streets, maneuvering lanes, main streets, pedestrian streets, multi-use paths as shown on the PD Layout Map, or within Subareas 1 and 2 only, adjacent (Non-PD) property. For Subarea 4, the maximum perimeter block length requirement becomes effective upon cumulative removal and replacement of 50% or more of the existing building footprint (i.e. complete demolition and replace of buildings) or cumulative development of 25% new building square footage. Interior renovations to existing buildings, façade upgrades, and additions to existing buildings do not constitute removal or replacement of an existing building footprint. At the time a development plan is submitted that trips one of these thresholds, a master plan shall be submitted that shows the general locations of new streets in the subarea.
16. Maneuvering lanes shall be allowed in all subareas and shall contribute to the internal grid-system framework. Maneuvering lanes shall be defined as vehicle use areas that connect off-street parking areas and that provide sidewalks and street trees on at least one side. On the side of a maneuvering lane that includes sidewalks and street trees, perpendicular vehicular access to parking areas shall be separated by at least 180 feet as measured from center-line to center-line in order to enhance pedestrian comfort and safety. If a sidewalk and street trees are provided on only one side of a maneuvering lane, parking shall be allowed along only one side. If a sidewalk and street trees are provided on both sides of a maneuvering lane, parking shall be allowed along both sides.
17. With the exception of 'main streets', pedestrian streets and maneuvering lanes, all private streets shall be constructed and maintained to public right-of-way standards.
18. All streets will be named in accordance with Chapter 23 of the City's Code of Ordinances.
19. Inverted crowns shall only be allowed on maneuvering lanes and in parking lots.
20. At the time of each development plan review within the PD, the applicant shall file an application for a Certificate of Final Concurrency with the City.
21. Applications for modifications to Windmeadows Boulevard and/or Butler Boulevard (SW 35<sup>th</sup> Boulevard) that require development review and/or City Commission review and/or that may temporarily or permanently affect ingress and egress to or through Subareas 3

or 4 shall require the signature or written consent of both Esplanade Capital, LLC and S. Clark Butler Properties LTD or their successors and assigns.

22. The Developer (S. Clark Butler Properties LTD and their successors and assigns) shall provide a historic marker describing the history of the Stengal Airfield, to be constructed through the Florida Historical Marker Program, in cooperation with the Alachua County Historical Commission.
23. Attachment 'IV' Architectural Illustrations provides design standards that will be incorporated throughout the PD, noting that a particular architectural vernacular has not been solidified.

*The following pages contain "PD Design Standards by Subarea" and a "Glazing Requirement Diagram", respectively.*

**Table 6: PD Design Standards by Subarea**

Development Requirements	Subarea 1	Subarea 2	Town Centers & Subarea 3	Subarea 4
Maximum Building Height	Eight (8) Stories (do not apply to uninhabited functional space such as a mechanical penthouse, unoccupied attic space, or similar areas)			
Maximum Perimeter Block Length	3,200'	2,000'	2,000'	2,000'
Maximum Single-Occupant, Single-Story Building Footprint	200,000 ft <sup>2</sup>	120,000 ft <sup>2</sup>	150,000 ft <sup>2</sup>	200,000 ft <sup>2</sup>
Minimum Public/Private Street Building Frontage <sup>(1)</sup>	N/A	50% along SW 24 <sup>th</sup> Avenue; 25% along SW 62 <sup>nd</sup> Blvd between Windmeadows Blvd and the multi-use path; and 45% along SW 38 <sup>th</sup> Terrace for the first 1,000 linear feet extending north/northeast from SW 62 <sup>nd</sup> Blvd.	Main Street Frontages 70%	N/A
Public/Private Street Build-To-Line (measured from back of curb)	N/A	10' - 25' <sup>(2)(3)</sup>	10' - 25' <sup>(3)</sup>	N/A
Minimum Building Setbacks From Abutting Properties Not Within the PD	25'	10' for residential, 25' for commercial and mixed-use	10' for residential, 25' for commercial and mixed-use	10'
Minimum Building Side/Rear Setbacks	25'	10'	N/A	N/A
Minimum Sidewalk Widths (along Public/Private Streets & Maneuvering Lanes)	6'	8'	8'	6'
Minimum Front Façade Glazing <sup>(4)</sup>	1 <sup>st</sup> Floor: 25% of AFF (3' – 8') Upper Floors: 10% of AFF (3' – 8')	1 <sup>st</sup> Floor: 25% of AFF (3' – 8') Upper Floors: 10% of AFF (3' – 8')	1 <sup>st</sup> Floor: 40% of AFF (3' – 8') for Main Streets; 15% of AFF (3' – 8') for all other streets and maneuvering lanes Upper Floors: 10% of AFF (3' – 8')	1 <sup>st</sup> Floor: 25% of AFF (3' – 8') Upper Floors: 10% of AFF (3' – 8')
Minimum Articulation on Building Walls	50'	30' (0' – 12') and 60' (12' and above)	30' (0' – 12') and 60' (12' and above)	30' on front facades and 60' on other sides of building
Minimum Designated Open/Green Space <sup>(5)</sup>	20%	20%	10%	20%
Maximum Building Coverage (within each subarea)	50%	70%	90%	50%

<sup>(1)</sup> For all subareas, with the first development plan for that subarea, a Development Master Plan shall be submitted to illustrate how minimum public/private street building frontage requirements will be met at build-out.

<sup>(2)</sup> Build-to-line may be increased to 80' along SW 62<sup>nd</sup> Boulevard between Windmeadows Boulevard and the multi-use path to accommodate gas easement.

<sup>(3)</sup> Porte cochères or covered drop-off areas may be located closer than 10', providing that the majority of a building maintains the minimum build-to-line requirement. Build-to-lines may be adjusted to accommodate plazas or outdoor seating, existing utility lines, or to preserve existing high-quality heritage trees.

<sup>(4)</sup> Doors, building vestibules, and display areas may be included in glazing calculations. Glass doors, building vestibules, and display areas are included in total façade surface area calculations. Glazing shall first be applied between 3' and 8' AFF for each floor to satisfy the minimum glazing area requirements; however, the City Manager or their designee may grant a waiver to enable glazing to be satisfied between 0' and 10' AFF for each floor.

<sup>(5)</sup> "Designated Open/Green Space" includes stormwater management facilities when their perimeter includes public space (e.g. landscaping, hardscape, trails or paths) or amenities (e.g. landscape or hardscape), parks, trails or paths, and/or other public space (e.g. plazas, squares, public commons, and/or open-air malls). Designated open/green space is measured for the subarea, not on a parcel-by-parcel or lot-by-lot basis.

# GLAZING REQUIREMENTS DIAGRAM

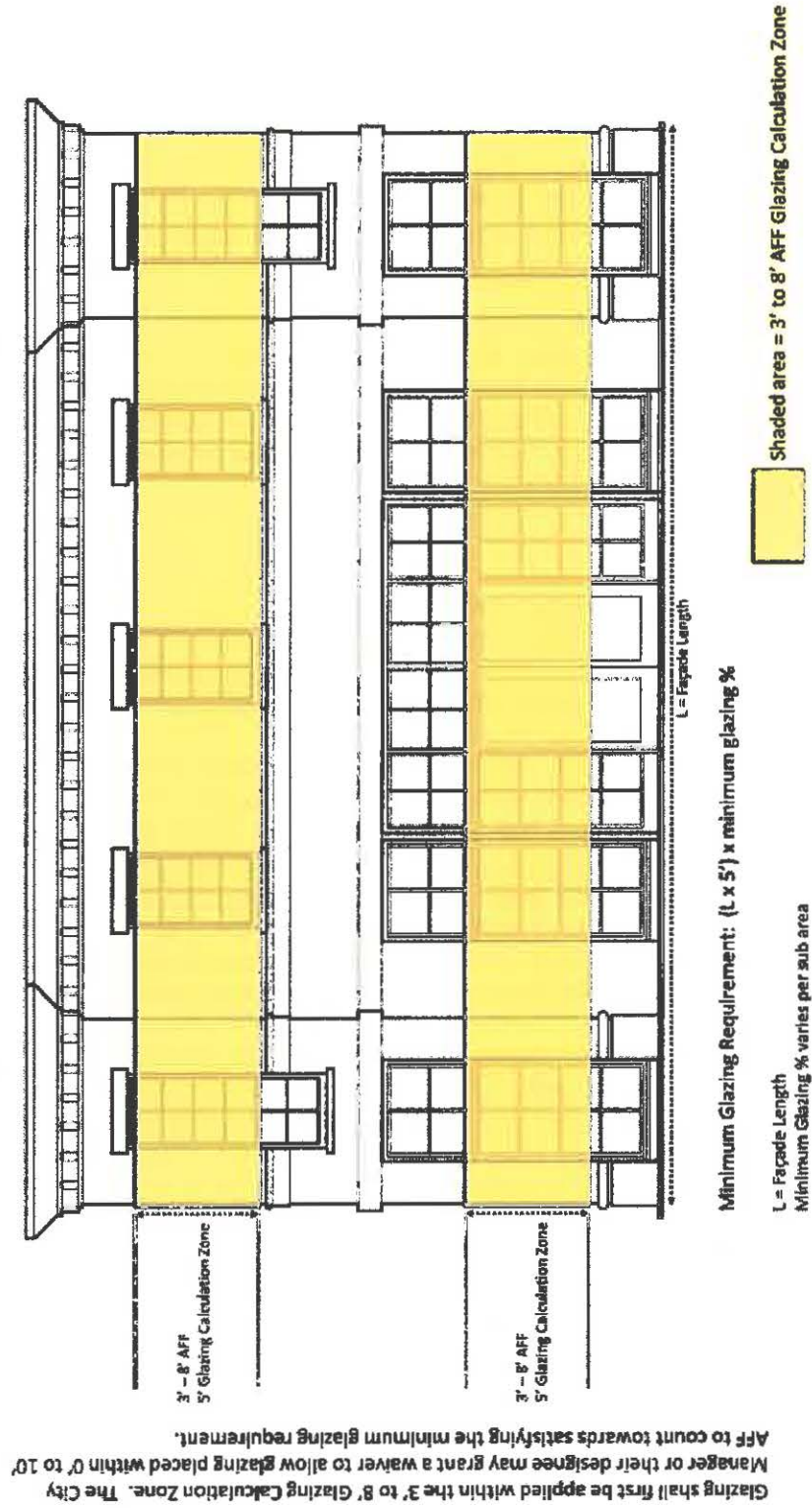


Figure 4: Glazing Requirements Diagram

## **Master Signage Plan**

All new signage shall comply with the Master Signage Plan adopted in Ordinance No. 140501, which by reference is made a part hereof.

1. Any application for proposed signs or modifications to signage jointly shared by Esplanade Capital, LLC and S. Clark Butler Properties LTD or their legal successor and/or applications modifying signage for their respective tenants, specifically including the multi-tenant sign located at the intersection of Butler Boulevard (also known as SW 35th Boulevard) and Archer Road, shall include the signature or written consent of co-applicants Esplanade Capital, LLC and S. Clark Butler Properties LTD, or their legal successors.
2. Existing non-conforming signs within Subareas 3 and 4 are allowed to change the face of signs without reducing the sign dimensions or reconstructing the entire sign. Change of face is a sign change in which one of the following changes is made: only the plastic face of an internally lit sign cabinet is exchanged for a new face; or a painted sign is repainted with no overall increase in sign area.

## **Tree Preservation and Landscaping**

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

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

mitigation for non-Heritage regulated trees shall not be required. A tree survey of non-heritage trees will not be required.

Landscaping should be an integral part of the PD, defining major entryways and vehicular and pedestrian corridors, and serving to screen parking and service areas from the street and adjacent uses. Landscaping that is adjacent to streets and sidewalks shall include shade trees and shrubs that frame these corridors. Except as specifically provided in this Ordinance, all new development within the PD will, at a minimum, meet the City's landscaping regulations in effect at the time of development plan approval.

1. When a parking area for motor vehicles is adjacent to a public or private street, it shall be buffered with a garden wall 3 feet in height in order to enclose the portion of the parking exposed. Alternatively, landscaping 3 feet high within twelve months of planting may be used if it adequately defines the street corridor and screens the parking area with at least 75% opacity. However, such walls and/or landscaping must be broken up at intervals no greater than 100 feet to allow pedestrian access.
2. All parking lots shall contain landscaped islands at least nine feet in width occurring no more than 135 feet apart. The placement of landscaped areas throughout the interior of the paved area shall average one landscaped island for each ten parking spaces. Each required interior landscaped area shall be a minimum of 140 square feet in size with no dimension less than nine feet and contain at least one shade tree. Such tree(s) shall be located within the landscaped area to maximize the shading of the pavement.
3. High quality shade street trees from the Gainesville Approved Tree List shall be planted, subject to the following requirements:
  - a. Street trees shall be spaced at a minimum of every 50 feet on average on both sides of public and private streets, providing that the distance between street trees shall not exceed 80 feet or be less than 25 feet;
  - b. Street trees shall be 2 inch minimum caliper at the time of planting and shall be of a variety which will grow to an average mature spread of 20 feet or greater, unless a columnar variety is approved during development plan review;
  - c. Street trees shall be included in tree lawns (rather than tree gates) at least 8 feet in width on SW 62<sup>nd</sup> Boulevard extension, SW 38<sup>th</sup> Terrace/SW 30<sup>th</sup> Avenue, and along Windmeadows Boulevard and SW 37<sup>th</sup> Boulevard where these streets are adjacent to new development;
  - d. Where on-street parking is provided, trees may be located within 8 foot-wide bulb-outs that are separated by parking spaces, as long as the required total number of street trees are still included along the street length;
  - e. The required high-quality shade trees may be provided within tree grates on all other streets and drives within the development. Tree grates should be a minimum of 18 square feet in area, and trees shall be planted no closer to the streets than allowed by the Local Governments Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways;

- f. Where required street trees are located adjacent to buildings, arcades, or other structures, they should be provided sufficient space to allow for the canopy of the shade tree to reach at least half of the dimension of the mature urban height as indicated on the Gainesville Approved Tree List; and
  - g. All street trees shall be required to provide 140 square feet of root room to a minimum depth of 3 feet, filled with rootzone media characterized by soil texture and structure appropriate for tree root growth.
- 4. Where 8-foot wide planting strips will not be provided between head-to-head parking rows, an alternative proposal to provide the combined planting areas shall be proposed during development plan review. The alternate landscaped area shall be located within or adjacent to the vehicular use area, and an equivalent planting area and number of shade trees shall be proposed. In Subarea 1, all head-to-head landscape strips may be eliminated using an alternative proposal submitted as part of development plan review. However, all other Subareas shall in no case propose more than two consecutive sets of head-to-head parking rows without a planting strip. Approval shall be subject to the determination of the reviewing entity that the modified proposal will provide a level of shading within the paved parking areas that is at least equivalent to what would be provided by the 8-foot wide planting strips.
- 5. No parking lot lights or utility infrastructure (including transformer boxes and underground water or sewer pipes) shall be placed within required parking lot landscape islands, unless the size of such islands is expanded so that the following criteria are met: the required high quality shade tree has a minimum of 140 square feet area above and below ground (with no pavement, building footers, canopies, balconies, and overhead or underground utility lines located in this area); separation requirements are met for underground utilities; a minimum 10 foot separation is provided from parking lot lighting; and spatial separation requirements are met for fire hydrants.

## **Stormwater Management Facilities**

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

1. Prior to development plan approval for the first phase of development, the owner/developer shall provide a master plan for stormwater management and open space.
2. Stormwater facilities shall satisfy the requirements of the St. Johns River Water Management District and the City's Land Development Code. The edges of the stormwater basins along public streets shall also be designed to function as linear parks. Wet basins shall include littoral zones for 20% of the basin perimeter, and dry basins shall be designed with an initial tier, or forebay, or other stormwater system component that is designed to capture the majority of sediments. Where the basins are adjacent to street frontages, they shall provide the required landscaping for stormwater basins as well as the required street buffer landscaping. Every 500 feet of basin perimeter shall include a basic pedestrian amenity, such as a bench and trash receptacle. Chain link fencing shall not be used in or around basins.
3. During development plan review, each new development (excluding public right-of-way and private streets), shall demonstrate the use of Low Impact Design (LID) Best Practices stormwater techniques or techniques contained within a published or professionally recognized LID manual. Each development within the PD that includes new building square footage shall be designed to ensure that at least 25% of the runoff from parking areas is pre-treated before discharge to the master system using a LID, which shall be enforced on an individual parcel level during development plan review. On-street parking provided along public streets, private streets, maneuvering lanes, or main streets within the development shall be exempt from this requirement. From the time LID system components are installed, the property owner shall thereafter be responsible for the maintenance of the LID system components in good and working order.
4. Within all development in the PD, impervious areas shall be reduced by utilizing the minimum sizes for parking spaces and drive aisles where feasible.

## **Development Schedule**

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

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

- a. The Developer, at no cost to the City, shall convey to the City lands for the following rights-of-way, the timing of which is subject to the ensuing conditions contained herein:
  1. SW 62<sup>nd</sup> Boulevard extension from the PD's western boundary to SW 33<sup>rd</sup> Place;
  2. SW 38<sup>th</sup> Terrace from SW 24<sup>th</sup> Street to SW 42<sup>nd</sup> Street;
  3. SW 43<sup>rd</sup> Street from SW 62<sup>nd</sup> Boulevard to the PD's northern boundary;
  4. SW 30<sup>th</sup> Terrace from SW 62<sup>nd</sup> Boulevard to SW 42<sup>nd</sup> Street;
  5. SW 42<sup>nd</sup> Street from the PD's southern boundary to SW 62<sup>nd</sup> Boulevard;
  6. SW 30<sup>th</sup> Avenue from SW 40<sup>th</sup> Boulevard to SW 42<sup>nd</sup> Street, along the PD's southern boundary, except where it is contiguous to the Transit Transfer Station parcel in which case it shall be along that parcel's northern boundary;
  7. Ten (10) feet of additional right-of-way adjacent to, running parallel with and on the eastern side of Southwest 62<sup>nd</sup> Boulevard extension (Currently SW 37<sup>th</sup> Boulevard) from Archer Road to Windmeadows Boulevard; and
  8. Ten (10) feet of additional right-of-way adjacent to, running parallel with and on the western side of Southwest 62<sup>nd</sup> Boulevard extension (Currently SW 37<sup>th</sup> Boulevard) from Archer Road to Windmeadows Boulevard.
- b. Within one year of the first building permit being issued in Subarea 1 or 2, the Developer shall construct the below listed improvements within Subareas 3 and 4 (as identified in the PD Layout Map included as Attachment I.) No further building permits shall be issued in any Subarea of the PD until the improvements are completed.
  1. Where FDOT has eliminated median openings in Archer Road the obsolete turn lane entrances in the PD will be renovated to replace some asphalt with pedestrian features and landscaped open space; and
  2. Proposed sidewalks as shown on Attachment III.
- c. Prior to the issuance of the first certificate of occupancy (CO) for any new building in Subarea 1 or 2, or upon the cumulative addition of five hundred (500) net, new p.m. peak hour trips of adjacent street traffic associated with development plans in Subareas 3 and 4, as determined using the latest edition of the ITE Trip Generation Manual<sup>1</sup> at that time:
  1. The Developer shall construct a transit transfer station and a 50-space park-and-ride lot (with landscaping and pedestrian connections to the transfer station) with two (2) access points on public streets. Upon inspection and acceptance by the City, the Developer shall convey the transit transfer station and the 50-space

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<sup>1</sup>Note: Using the ITE Land Uses for Shopping Center, General Office Building, Hotel, or Apartments as appropriate for the specific uses.

park-and-ride lot to the City, at no cost to the City. The Developer shall pay all costs associated with the transfer.

- a. The transit transfer station and the 50-space park-and-ride lot shall generally be located at the intersection of SW 30<sup>th</sup> Avenue and SW 42<sup>nd</sup> Street, as more fully identified on the PD Layout Map (Attachment I), subject to approval and acceptance by the City of Gainesville. The maximum combined area required for the transfer station and park-and-ride lot shall be two (2) acres, including required stormwater management facilities. Prior to second reading of this Ordinance, the Developer shall execute a developer agreement that specifies the minimum development standards, conveyance and easement requirements, and surety requirements for the transit transfer station and park-and-ride lot.
  - b. The cost that the Developer shall be required to expend for the design, development approvals and construction (excluding land costs) of the transfer station shall not exceed \$1,250,000. The station shall include separate public and RTS staff restroom facilities, bicycle racks and storage, route map/information kiosks, minimum number of bays necessary to accommodate 6 buses and amenities for rider convenience including shelter, landscaping, lighting, seating and trash receptacles.
  - c. The addition of two (2) bus bays with shelters shall be developed at the Developer's expense along Windmeadows Boulevard within proximity to and/or part of Subarea 3. Each bus bay will be designed to accommodate the stacking of two (2) rigid or one (1) articulated bus. A safe crossing of Windmeadows Boulevard shall also be provided at a location to be approved by RTS.
2. The Developer shall construct and upon inspection and acceptance by the City, convey (if a public right-of-way) to the City, at no cost to the City, the following:
- a. SW 62<sup>nd</sup> Boulevard extension from Archer Road to the PD's western boundary, including all of the required intersection modifications at Archer Road, Windmeadows Boulevard/SW 33<sup>rd</sup> Place, SW 42<sup>nd</sup> Street, SW 38<sup>th</sup> Terrace, SW 30<sup>th</sup> Terrace, and at the temporary realignment of SW 43<sup>rd</sup> Street. SW 62<sup>nd</sup> Boulevard extension shall be constructed consistent with the intent of the Metropolitan Transportation Planning Organization (MTPO) design elements included in the approved Alternative 4-B3 dated March 2, 2009, with the exception of dedicated transit lanes. The Developer shall convey to the City, at no cost to the City, the right-of-way for the dedicated transit lanes consistent with the MTPO design.
  - b. SW 42<sup>nd</sup> Street from SW 30<sup>th</sup> Terrace to SW 62<sup>nd</sup> Boulevard extension shall be reconstructed in accordance with Attachments 'I' and 'II';
  - c. Reconstruction of SW 43<sup>rd</sup> Street from SW 62<sup>nd</sup> Boulevard extension to SW 24<sup>th</sup> Avenue;
  - d. SW 30<sup>th</sup> Avenue from SW 40<sup>th</sup> Boulevard to SW 42<sup>nd</sup> Street, consistent with Attachments I and II, which shall include a 12-foot wide section of the Archer

Braid Trail. The design of the street shall include provisions for connecting to the SW 30<sup>th</sup> Avenue bridge street system on the east side of I-75 where it intersects with SW 42<sup>nd</sup> Way. If the eastern portion of the bridge has been constructed and dedicated as public right-of-way, the Butler development shall be responsible for constructing the connection(s) from SW 30<sup>th</sup> Avenue to the intersection of the SW 30<sup>th</sup> Avenue bridge street system and SW 42<sup>nd</sup> Way"; and

- e. Multi-use path extending from SW 24th Avenue to SW 62nd Boulevard as generally located on the PD Layout Map (Attachment I) and designed in accordance with the cross-section for such identified on Attachment II.
3. If all of the specific improvements lettered a – e above are under construction and all are within three months of being completed, as determined by the City Public Works Department, a CO may be issued for any development provided the Developer provides the City with security in one of the forms specified in Sec. 30-186 of the City's Land Development Code (as that section may be amended or renumbered from time to time) and such security is equal to 120 percent of the estimated costs of the remaining construction, and further provided the necessary traffic control signage is installed if the roadway is sufficiently complete to be open to traffic.
- d. Prior to any CO being issued within Subarea 1, the Developer shall construct and upon inspection and acceptance by the City, convey to the City, at no cost to the City, SW 38<sup>th</sup> Terrace between SW 42<sup>nd</sup> Street and SW 62<sup>nd</sup> Boulevard extension in accordance with Attachments I and II, which shall include a 12-foot wide section of the Archer Braid Trail. If SW 38<sup>th</sup> Terrace is under construction and is within three months of being completed, as determined by the City Public Works Department, a CO may be issued for any development provided the Developer provides the City with security in one of the forms specified in Sec. 30-186 of the City's Land Development Code (as that section may be amended or renumbered from time to time) and such security is equal to 120 percent of the estimated costs of the remaining construction, and further provided the necessary traffic control signage is installed if the roadway is sufficiently complete to be open to traffic.
  - e. Prior to any CO being issued within Subarea 2, the Developer shall construct and upon inspection and acceptance by the City, convey (if a public right-of-way) to the City, at no cost to the City, the following:
    - 1. SW 38<sup>th</sup> Terrace between SW 62<sup>nd</sup> Boulevard extension and SW 24<sup>th</sup> Avenue, consistent with Attachments I and II, which shall include a 12-foot wide section of the Archer Braid Trail. The full extent of SW 38<sup>th</sup> Terrace within the PD shall be dedicated, at no cost to the City, as a public street following inspection and acceptance by the City. SW 38<sup>th</sup> Terrace shall include additional measures for the protection of bicyclists (such as, but not limited to, signage and pavement markings) crossing the intersection at SW 62<sup>nd</sup> Boulevard extension and SW 38<sup>th</sup> Terrace;
    - 2. Signalization and westbound, left turn lane modifications at the intersection of SW 38<sup>th</sup> Terrace and SW 20<sup>th</sup> Avenue in accordance with the City's Traffic Management System (TMS) standards and the Highway Capacity Manual,

providing that such improvements have not already been completed by other developers;

3. Operational and safety modifications (OSM) to the intersections of Archer Road and SW 40<sup>th</sup> Boulevard, and SW 40<sup>th</sup> Boulevard and SW 42<sup>nd</sup> Street. All OSM shall be based upon an updated traffic study prepared by the Developer, subject to review and approval by the City's Public Works Department and/or FDOT; and
  4. If all of the specific improvements numbered 1 - 3 above are under construction and all are within three months of being completed, as determined by the City Public Works Department, a CO may be issued for any development provided the Developer provides the City with security in one of the forms specified in Sec. 30-186 of the City's Land Development Code (as that section may be amended or renumbered from time to time) and such security is equal to 120 percent of the estimated costs of the remaining construction, and further provided the necessary traffic control signage is installed if the roadway is sufficiently complete to be open to traffic.
- f. Operational and safety modifications (OSM) to the intersections of SW 34<sup>th</sup> Street and Windmeadows Boulevard and SW 34<sup>th</sup> Street and SW 24<sup>th</sup> Avenue shall be addressed within a Developer's Agreement that shall be approved prior to 2<sup>nd</sup> reading of this ordinance.
  - g. Prior to the second CO being issued in Subarea 1, the Developer shall construct and upon inspection and acceptance by the City convey to the City at no cost to the City SW 30<sup>th</sup> Terrace between SW 62<sup>nd</sup> Boulevard extension and SW 42<sup>nd</sup> Street consistent with Attachments 'I' and 'II'.
  - h. The ten (10) feet of additional lands to be dedicated as right-of-way adjacent to, running parallel with and on the eastern side of Southwest 62<sup>nd</sup> Boulevard extension (Currently SW 37<sup>th</sup> Boulevard) from Archer Road to Windmeadows Boulevard will be dedicated to the City upon final development plan approval for redevelopment of all parcels immediately fronting the eastern side of the SW 62<sup>nd</sup> Boulevard extension (Currently SW 37<sup>th</sup> Boulevard). The value of the right-of-way shall be established by appraisal as of the date of application for final development plan review for redevelopment in Subarea 4. The owner shall obtain the appraisal, at its sole expense, and shall provide a copy to the City for its review and approval. If the appraisal is approved by the City, the appraised value shall count toward meeting the transportation mobility program requirements in effect at the time of development plan approval of the redevelopment. The credit for transportation mobility program requirements shall not be given until the dedication occurs.
  - i. The ten (10) feet of additional lands to be dedicated as right-of-way adjacent to, running parallel with and on the western side of Southwest 62<sup>nd</sup> Boulevard extension (Currently SW 37<sup>th</sup> Boulevard) from Archer Road to Windmeadows Boulevard shall be dedicated to the City upon final development plan approval for redevelopment of all parcels immediately fronting the western side of the SW 62<sup>nd</sup> Boulevard extension (Currently SW 37<sup>th</sup> Boulevard). The value of the right-of-way shall be established by appraisal as of the date of application for final development plan review for redevelopment of the parcels immediately fronting the western side of SW 62<sup>nd</sup> Boulevard extension (Currently SW 37<sup>th</sup> Boulevard). The owner shall obtain the appraisal, at its sole expense, and shall provide a copy to the City for its review and approval. If the

appraisal is approved by the City, the appraised value shall count toward meeting the transportation mobility program requirements in effect at the time of development plan approval of the redevelopment. The credit for transportation mobility program requirements shall not be given until the dedication occurs.

- j. At the time of development plan review within Subarea 2, at least one direct vehicular access shall be coordinated with the Windmeadows Apartments development to the east. At a minimum, locations for access shall be designated to allow for the future establishment of vehicular access at the time when the Windmeadows property owner is willing to allow for such connections or the Windmeadows property is redeveloped.
- k. At the time of the development plan review on the adjacent property within Subarea 1, the possibility shall be explored for a vehicular connection to SW 29<sup>th</sup> Avenue to the west. At a minimum, locations for access shall be designated to allow for future establishment of vehicular access at the time when the property owners to the west are willing to allow for such connections or the properties to the west are redeveloped.
- l. With the first development plan review for the removal and replacement of 50,000 square feet of building area in Subarea 3, the Developer shall construct sidewalks connecting the PD's eastern boundary to the PD's western boundary along at least one side of Windmeadows Boulevard.
- m. With the first development plan review for the removal and replacement of 50,000 square feet of building area in Subarea 3, the Developer shall construct at least one mid-block textured pedestrian crosswalk (with curb ramps) across Windmeadows Boulevard. The design and location of this crosswalk shall be determined by the City Planning and Public Works Departments during development plan review.
- n. Development plans within the PD that affect bus transportation routes shall be reviewed by RTS to evaluate the requirements for the Developer to construct new transit stops or improvements to existing transit stops. The location of transit stops shall be convenient and highly visible. The transit stops shall be designed with amenities such as, but not limited to shelter, lighting, seating, trash receptacles and bicycle racks. The cost of any new transit stops or improvements to existing transit stops shall be creditable toward the transit proportionate fair share, required per the TCEA Zone M Agreement executed on January 3, 2012 (as modified by the Addendum executed on November 29, 2012). Adequate notification shall be provided to RTS prior to any work on public or private streets that will require route detours. New streets shall be designed in order to accommodate both a standard 40-foot long bus and a 60-foot long articulated bus.
- o. During the period between the start of roadway construction on the public roads and final acceptance of the public roadways by the City, including the conveyance of the associated rights-of-way, the Developer shall be responsible for the maintenance and safe operation of the roadway facilities and directly associated lands. In order for the City to give final acceptance of the constructed roadway facilities and acceptance of the associated right-of-way, the Developer shall provide to the City a maintenance surety consistent with Sec. 30-186(f) of the Land Development Code (as that Section may be amended or renumbered from time to time).

## Enumeration of Differences (LDC §30-214(3)c.2.(vii))

**Table 7: Enumeration of Differences**

<b>Use</b>	<b>Current</b>	<b>Proposed</b>	<b>Net Difference</b>
Commercial	2,500,408 square feet	2,500,408 square feet	No change
Office	250,000 square feet	250,000 square feet	No change
Hotel/Motel	500 rooms	500 rooms	No change
Multi-family	1,000 units	1,000 units	No change

### PD Objectives (LDC §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.

**Response:** PD Design Standards are incorporated into the PD Report, with additional standards to be included as exhibits to the PD Ordinance (see Table 6, the Town Center development standards contained herein). In general, all subareas within the PD will included vehicular, multi-modal, bicycle, and pedestrian interconnectivity. Further, the PD will incorporate sidewalks and a multi-use path connecting to the Archer Braid Trail to promote non-motorized and pedestrian travel.

2. Provide flexibility to meet changing needs, technologies, economics and consumer preferences.

**Response:** In order to promote compatibility of uses and good urban form, the PD is divided into four (4) Subareas. Each Subarea has development standards. In order to allow for flexibility, incorporated into the PD is a *Land Use Exchange Matrix* (Table 3). This table adds flexibility, allowing the PD to respond to changing needs, technologies, economics, and other market conditions. Equally, this table also ensures that the Butler PD is developed with a mix of uses.

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

**Response:** The PD will include a system of pedestrian paths, sidewalks, and multi-use paths throughout the development. Pedestrian paths shall be incorporated into the stormwater management areas and the active park area on the north side of the PD, and shall also run from the intersection of SW 62<sup>nd</sup> Boulevard and SW 24<sup>th</sup> Avenue to the easternmost extent of the PD. Roadways, as illustrated by Attachment 'I', will be designed with features otherwise not required by the LDC.

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.

**Response:** The northern half (Subareas 1 and 2), although relatively large, is essentially an infill and redevelopment project and an extension of the existing Butler Plaza development (Subareas 3 and 4). The roadway and utility frameworks exist along the peripheries of the PD's undeveloped portions. Consequently, there are lower roadway and utility costs associated with interconnecting services within the PD's undeveloped portions than if the site was located outside of Alachua County's urban services boundary.

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

**Response:** The PD functions as a single, master-planned development. The existing TCEA agreement requires that a substantial amount of infrastructure be built in concert with the first phase of development. Design and construction of the utilities and master stormwater facilities coincides with roadway design and construction. Because of this master planning, the inefficiencies of piecemeal development, that would otherwise occur, are avoided.

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

**Response:** Table 6 identifies development standards, including maximum building footprints, maximum building heights, and minimum glazing standards, etc. by subarea. Additionally, there are specific design standards for Town Center development.

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.

**Response:** The PD will include a system of pedestrian paths, sidewalks, and multi-use paths throughout the development. Pedestrian paths shall be incorporated into the stormwater management areas, and shall also run from the intersection of SW 62<sup>nd</sup> Boulevard and SW 24<sup>th</sup> Avenue to the easternmost extent of the PD. Roadways, as illustrated by Attachment 'I', will be designed with features otherwise not required by the LDC.

### **Minimum Criteria for Rezoning to PD (LDC §30-213)**

This PD satisfies the minimum requirements for a PD Rezoning as set forth in LDC s. 30-213, with specific reference to s. 30-213(1) below:

1. *Unique and promoted by Comprehensive plan. The proposed development is unique. Although it does not fit within an existing zoning district, it is consistent with the city Comprehensive Plan, except it may require a land use change. Other options available under the existing zoning district(s) in the city land development code would not allow the use and associated design elements of the proposed project.*

**Response:** The proposed development is unique in that it is simultaneously new development and redevelopment. The northern ½ of the development is essentially undeveloped. The southern ½ is existing commercial development. Further, the southeastern Subarea 3 is proposed for a Town Center, requiring the razing of a substantial portion of the existing commercial development. The fundamental challenges are:

1. Creating a seamless transition between the developed and undeveloped subareas;
2. Including development parameters and provisions to ensure a unified aesthetic; and
3. Offer flexibility in development without sacrificing internal and external compatibility.

Neither the LDC nor the Comprehensive Plan includes general provisions necessary to meet the aforementioned challenges. Therefore, both a Planned Use District (PUD) Future Land Use (FLU) category and Planned Development (PD) Zoning district are necessary. As with the relationship between generalized FLU categories and Zoning districts, the PD district standards are consistent with the companion PUD in which it is located.

## **Requirements & Evaluation of Planned Development (LDC §30-216)**

### **(1) Conformance**

#### **A. Conformance with PD Objectives**

This PD is consistent with the PD Objectives set forth in the City of Gainesville Land Development Code. Please refer to Section 30-211(b)(1-7), PD Objectives for more detailed information on how this application conforms with the PD Objectives.

#### **B. Consistency with the Comprehensive Plan**

This PD is consistent with the Comprehensive Plan, with particular emphasis on the following Objectives and Policies:

#### ***Concurrency Management Element***

Objective 1.1: The City establishes the Gainesville Transportation Concurrency Exception Area (TCEA) with sub-areas designated Zone A, B, C, D, E and M as shown in Map 1.

**Response:** The developer has entered into a TCEA agreement for the first 134,784 square feet of development. Subsequent TCEA agreements (or multimodal agreements if adopted) will be entered into as development proceeds.

#### ***Future Land Use Element***

- Policy 1.1.2: To the extent possible, neighborhoods should be sized so that housing, jobs, daily needs and other activities are within easy walking distance of each other.
- Policy 1.2.3 The City should encourage mixed-use development, where appropriate.
- Policy 1.2.12: The Transportation Concurrency Exception Area (TCEA) shall be designated on the Future Land Use Map Series. All development within the TCEA shall meet the standards set in the Concurrency Management Element. Transportation concurrency exceptions granted within the TCEA shall not relieve UF from meeting the requirements of 240.155 F.S. and the levels of service established for streets within the UF transportation impact area.
- Policy 1.4.3 Mixed-use development should emphasis transit design and compatible scale – compatible scale especially when facing each other.

**Response: The PD has mandates for walkability and pedestrian-scale development and building orientation. The PD is a large mixed-use development that will allow the creation of a substantial number of full- and part-time jobs. The mix of uses will serve both the day to day needs of the surrounding development while also serving Gainesville, Alachua County, and adjacent communities. Existing transit and TCEA agreements ensure that public transportation is an integral component of the PD.**

#### ***Transportation Mobility Element***

- Policy 1.1.12 New development will be encouraged to provide non-motorized vehicle and non-street connections to nearby land uses such as schools, parks, retail, office, and residential when feasible.
- Policy 2.1.7 Development and redevelopment projects shall be encouraged to provide bicycle and pedestrian access to adjacent properties.
- Policy 3.1.4 The City shall acquire additional buses to accommodate expanded services and increased ridership.
- Policy 4.1.1 The City shall strive to provide an interconnected bicycle system with a route to every major destination in the City.
- Policy 5.1.2 The City shall extend the Trail Network by cooperating with Alachua County in County efforts to expand the Network—both for corridor acquisition and trail construction—particularly for extensions of the Waldo Rail-Trail, the Gainesville-Hawthorne Rail-Trail, and the Archer Road corridor.
- Policy 7.1.5 The City shall use the Transportation Concurrency Exception Area as shown in the Transportation Mobility Element map series to encourage redevelopment within the city, and to promote transportation choices.

**Response: The PD has mandates for walkability and pedestrian-scale development and building orientation. Existing transit and TCEA agreements ensure that adequate public transportation is an integral part of the PD. The PD Layout Map identifies an extension of**

the Archer Braid Trail being designed, constructed, and dedicated at the owner's/developer's expense. This provision is enforced by conditions of the PD Ordinance. Buttressing the Archer Braid Trail requirement is the provision that the overall development be designed with bicycle and pedestrian interconnectivity.

(2) Concurrency

**Response:** There are no additional entitlements being sought in excess of the currently approved development. Therefore, the net impact is zero.

(3) Internal Compatibility

**Response:** The PD obtains internal compatibility through a common plan for development, development standards, unified signage requirements, and common roadway design standards. Architectural controls will be a fundamental part of the development.

(4) External Compatibility

A. Compatible Uses

**Response:** The PD brings a variety of uses to the Archer Road/SW 34<sup>th</sup> Street commercial corridor. The specialty retailers, general commercial, office, hotel, and residential target are tied together by a common plan for development.

B. Development Design

**Response:** The ±267.2-acre site consists of a horizontal and, potentially, vertical mixed-use development tied together by a unified development plan. PD provisions ensure that the development is internally compatible and not fragmented nor fractured. PD development standards are previously identified and referenced throughout this report.

C. Traffic Circulation

**Response:** The development's arterial and collector roads will connect a system of internal private and/or public local streets and maneuvering lanes. Consistency in street network design is achieved through adopted standards. SW 62<sup>nd</sup> Boulevard will be extended at the developer's expense from the development's western boundary to what is currently SW 37<sup>th</sup> Boulevard, and designed to include the Metropolitan Transportation Planning Organization's design elements.

D. Density and Intensity

**Response:** The PD is designed to allow for and promote transit supportive levels of residential and nonresidential development. The City is desirous for the inclusion of a transit transfer station within the development to help mitigate transit and transportation impacts. The developer has executed an *Agreement to Construct Transit Transfer Station and Park-and-Ride Lot*, which will again be adopted prior to adoption of the Ordinance in order to satisfy and maintain this requirement.

The PD contains setback requirements from non-PD adjoining property lines. These setbacks ensure that development is appropriately buffered from these properties, while also providing interconnectivity. Further, design parameters and standards ensure that development is sympathetic to and compatible with contiguous commercial and residential, non-PD lands within this commercial center.

(5) Intensity of Development

**Response:** As previously stated, the PD is designed to allow transit supportive levels of residential and nonresidential development while not resulting in an increase in previously approved entitlements (see Table 7).

(6) Usable Open Spaces, Plazas, and Recreation Areas

**Response:** The PD contains open space requirements that are more fully articulated in Table 6 as well as specific requirements for usable open space, multi-use paths, etc.

(7) Environmental Constraints

**Response:** The PD will be developed in accordance with wetland and floodplain regulations and permitting requirements as may be required by the Florida Department of Environmental Protections (FDEP), the St. Johns River Water Management District (SJRWMD), the Army Corps of Engineers (ACOE), and the City of Gainesville. To that end, redevelopment in Subareas 3 and 4 will occur on existing impervious surface. Subareas 1 and 2 have sufficient areas of uplands to accommodate urban-scale development.

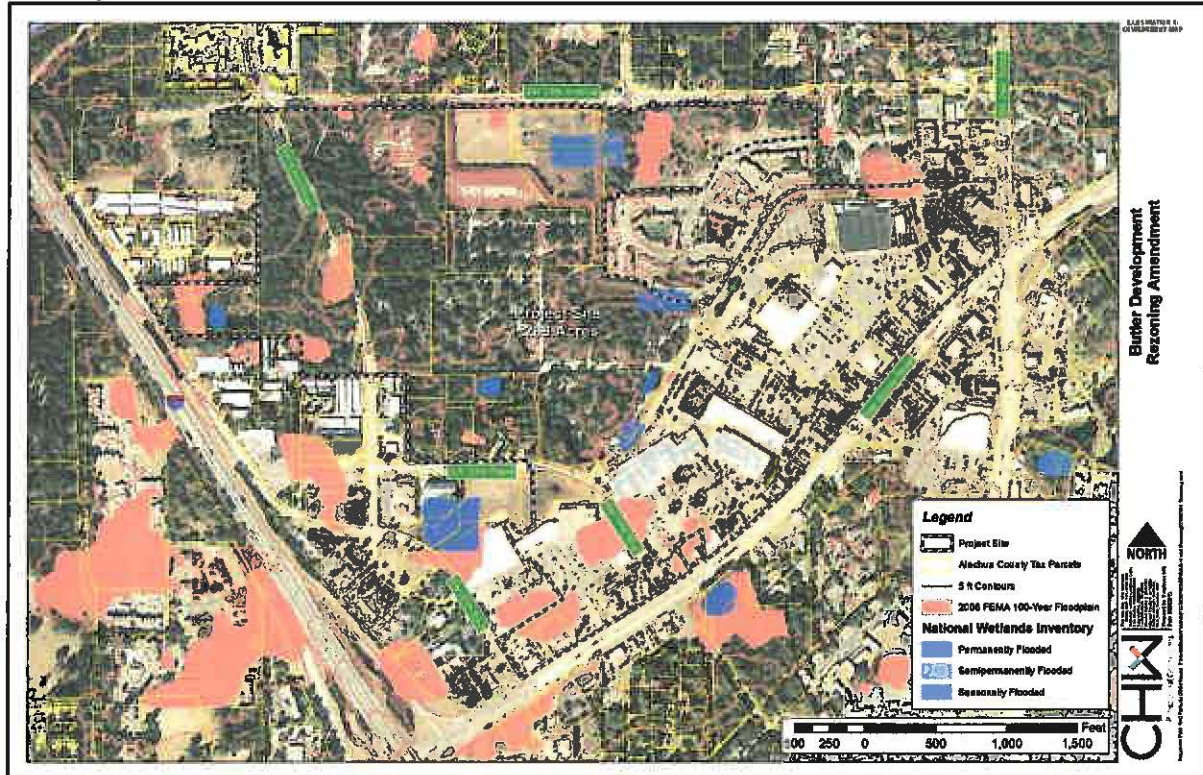
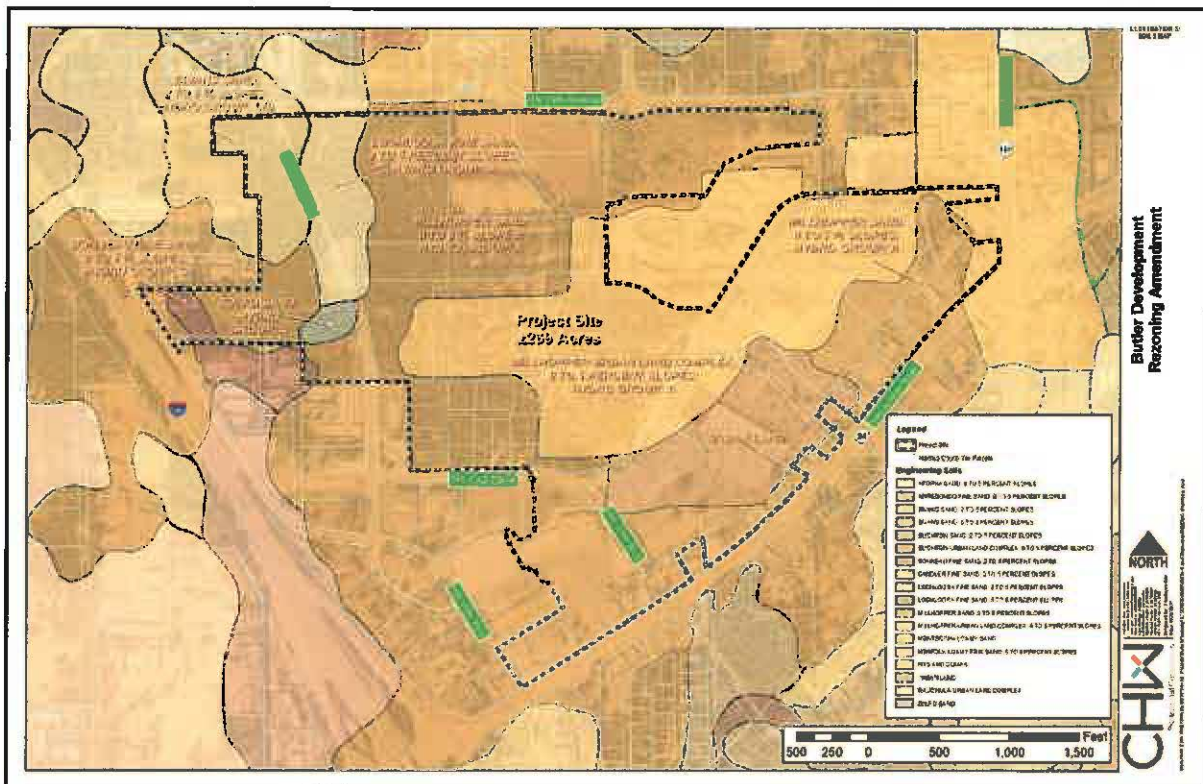


Figure 5: Topographic, Wetlands, and FEMA Floodplains



**(8) External Transportation Access**

**Response:** As previously discussed, the PD is accessed from Archer Road by existing ingress and egress points and existing public right-of-ways. The PD will be accessible by SW 62<sup>nd</sup> Boulevard once reconstructed at the developer's expense. Additionally, SW 38<sup>th</sup> Terrace will be extended from SW 24<sup>th</sup> Avenue at the developer's expense.

**(9) Internal Transportation Access**

**Response: As previously discussed throughout this report, a series of public and/or private roads will provide interconnectivity throughout the development. Further, a system of bike, pedestrian, and multi-use trails will provide non-vehicular transportation interconnectivity. All of these requirements are contained as conditions and/or exhibits adopted as part of the Ordinance.**

**(10) Provision for the Range of Transportation Choices**

**Response: The PD contains requirements for non-vehicular and transit transportation options. Existing transit and TCEA agreements ensure that public transportation is an integral part of the PD. The PD Layout Map identifies an extension of the Archer Braid Trail at the developer's expense. This provision is enforced by conditions of the PD Ordinance. Buttressing the Archer Braid Trail requirement is the provision that the overall development be designed with bicycle and pedestrian interconnectivity.**

**Unified Control (LDC §30-217)**

All property owners within the PD have authorized the change of zoning from PD to PD. Documentation of such has been provided to the City. Additional materials, if deemed necessary to document unified control, will be provided if and when requested.

**Phasing (LDC §30-218)**

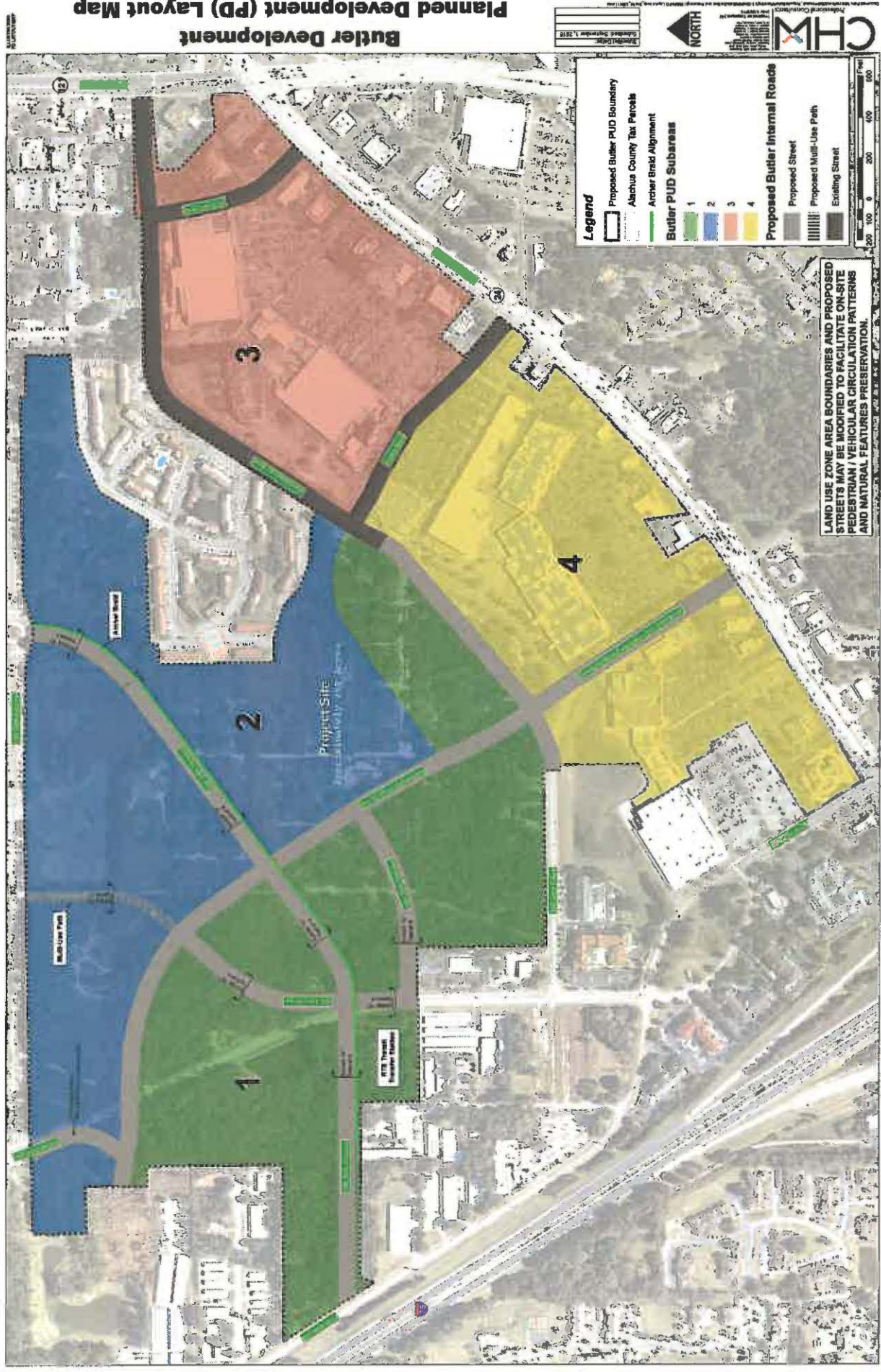
The PD does not include time sensitive phasing requirements. Rather, "phasing" is achieved through the existing TCEA Agreement signed by the developer and on file with the City. Conceptually, "phase 1A" is the construction of infrastructure and the first 134,784 square feet of vertical development. A new TCEA Agreement (or multimodal agreement if adopted) will be required for development beyond 134,784 square feet.

**Development Time Limits (LDC §30-219)**

There are no time limits being requested. For individual site development or platting, the standard City time limitations will apply.

# ATTACHMENT I

# Butler Development Planned Development (PD) Layout Map



# ATTACHMENT II

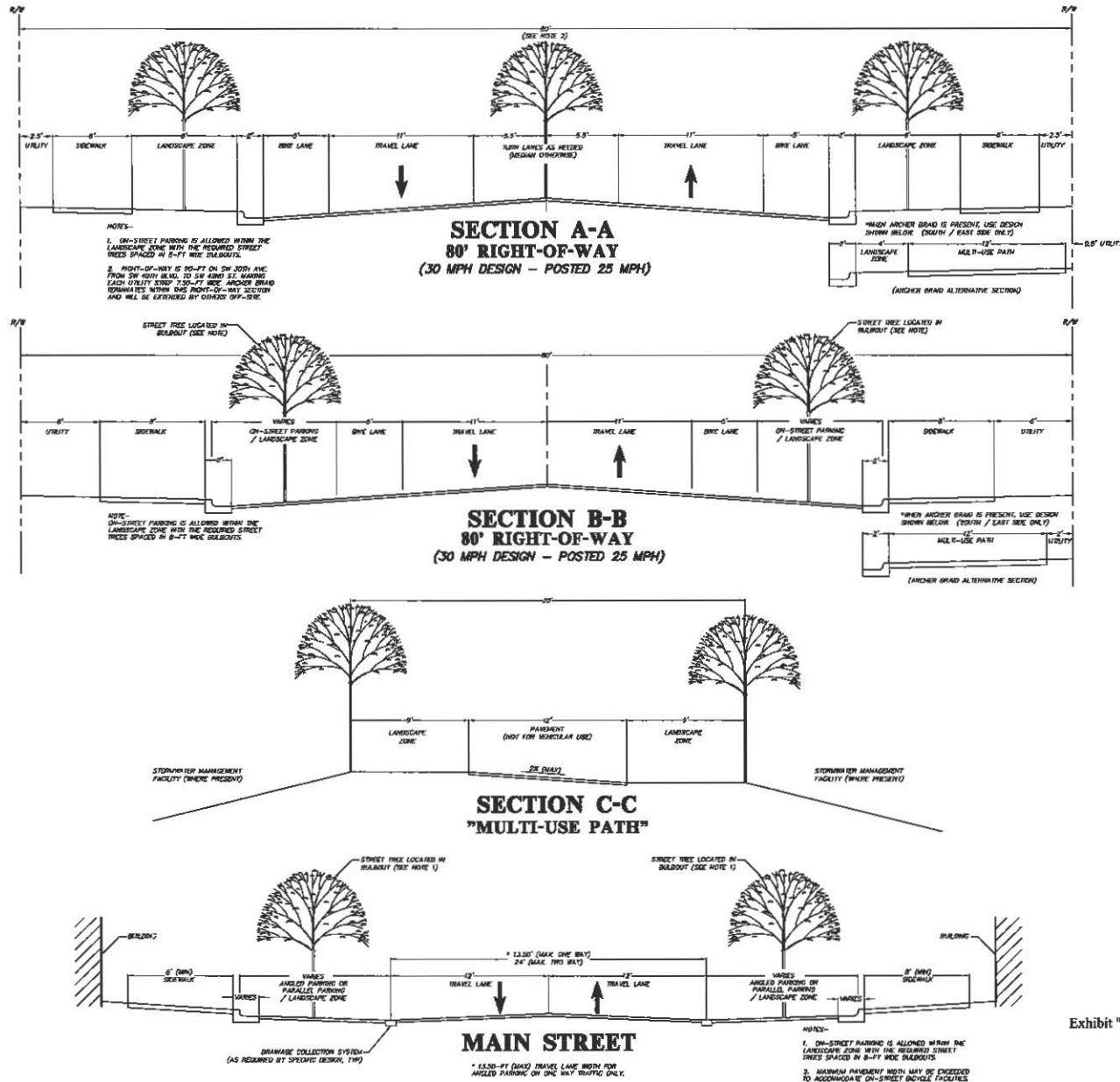


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Causseaux, Hewitt & Wainwright, Inc.  
Engineering • Surveying • Planning  
Construction Engineering Inspection  
1501 N.W. 75th Ave., Suite 100, Fort Lauderdale, FL 33307  
Phone (954) 331-1000 • Fax (954) 331-1001 • www.chw.com

**CHW**

PROJECT NO. 150440-01  
SHEET NO. 12-0298  
DATE: 11/11/11  
BY: JHW  
CHECKED: JHW  
APPROVED: JHW

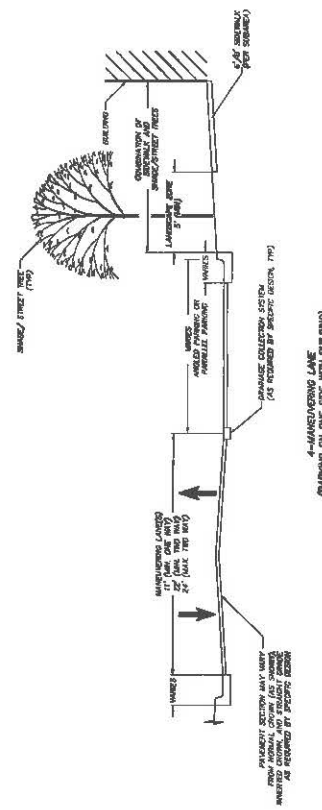
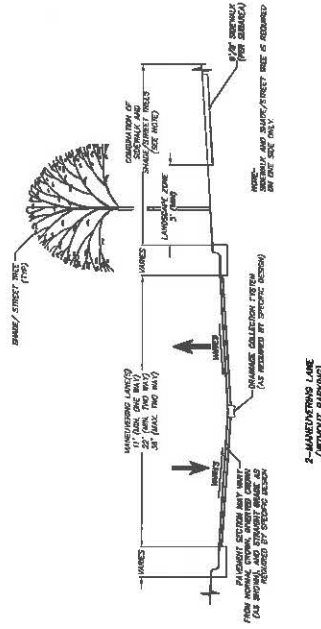
REVISIONS:

DATE: 11/11/11  
BY: JHW  
REASON: 1. 12.50' (MAX) TRAVEL LANE WIDTH FOR ANGLED PARKING ON ONE WAY TRAFFIC ONLY.

12-0298

1 OF 2

**Causeaux, Hewitt & Walpole, Inc.**  
Engineering • Surveying • Planning  
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132 NW 24th Drive, Lake Wales, Florida 33853  
Phone (888) 686-0000 • Fax (888) 686-0001 • www.chw.com  
Circle 25

[illegible]

# ATTACHMENT III

Exhibit "C" to Ordinance No. 150440

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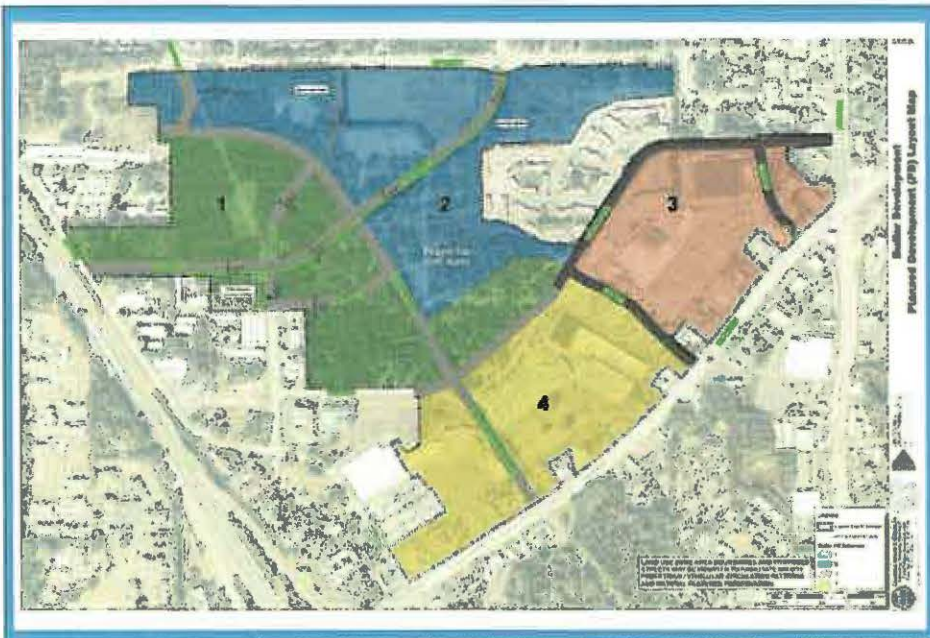


# ATTACHMENT IV

Exhibit "C" to Ordinance No. 150440

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# Subarea 1, Large-scale Retail/Destination Retail



## Subarea 1

**Facade Articulation:** This requirement applies to all building facades. The facade should be treated to avoid large expanses of uninterrupted wall area. A substantial change in material or at least a 1' change in plane is required at a spacing of 50' horizontally. A change in paint color does not constitute a substantial change. Articulation requirements must be met for all public/private streets, main streets, and maneuvering lane frontage facades.

**Building Materials:** Primary (75% min of wall surface) Clay masonry (brick or tile), Stone (native or synthetic), Glass storefront or curtain wall systems, Stucco, EIFS (above 12' finish floor or adjacent grade whichever is higher), Cast Stone masonry, Precast concrete. Secondary (25% maximum of wall) GFRC (trim and accents) Metal, split-face block, Glass block. These materials apply only to the visible portions of the exterior facades. Visible roofs shall be constructed of one of the following materials: Clay roof tiles or standing seam metal, or similar metal roof products.

**Screenwalls and Retaining Walls:** Shall be constructed of materials similar to those used on the adjacent buildings.

## Architectural Themes and Articulation



Illustrations shown are for architectural themes only including, but not limited to, the intent of articulation and materials depicted. In no way shall these illustrations be assumed to be the final elevations

Exhibit "C" to Ordinance No. 150440

# Subarea 2, Transitional / Hybrid Center



## **Subarea 2**

**Facade Articulation:** This requirement applies to all building facades. The facade should be treated to avoid large expanses of uninterrupted wall area. A substantial change in material or at least a 1' change in plane is required at a spacing of 30 horizontally between 0' and 12', above 12' this dimension may be increased to 60'. A change in paint color does not constitute a substantial change. Articulation requirements must be met for all public /private streets, main streets, and maneuvering lane frontage facades.

**Building Materials:** Primary (75% min of wall surface) Clay masonry (brick or tile), Stone (native or synthetic), Glass storefront or curtain wall systems, Stucco, EIFS (above 12' finish floor or adjacent grade whichever is higher), Cast Stone masonry, Precast concrete.

Secondary (25% maximum of wall) GFRP (trim and accents) Metal, split-face block, Glass block

These materials apply only to the visible portions of the exterior facades.

Visible roofs shall be constructed of one of the following materials: Clay roof tiles or standing seam metal, or similar metal roof products.

**Screenwalls and Retaining Walls:** Shall be constructed of materials similar to those used on the adjacent buildings.

## Architectural Themes and Articulation



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Exhibit "C" to Ordinance No. 150440

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# Subarea 3, Town Center



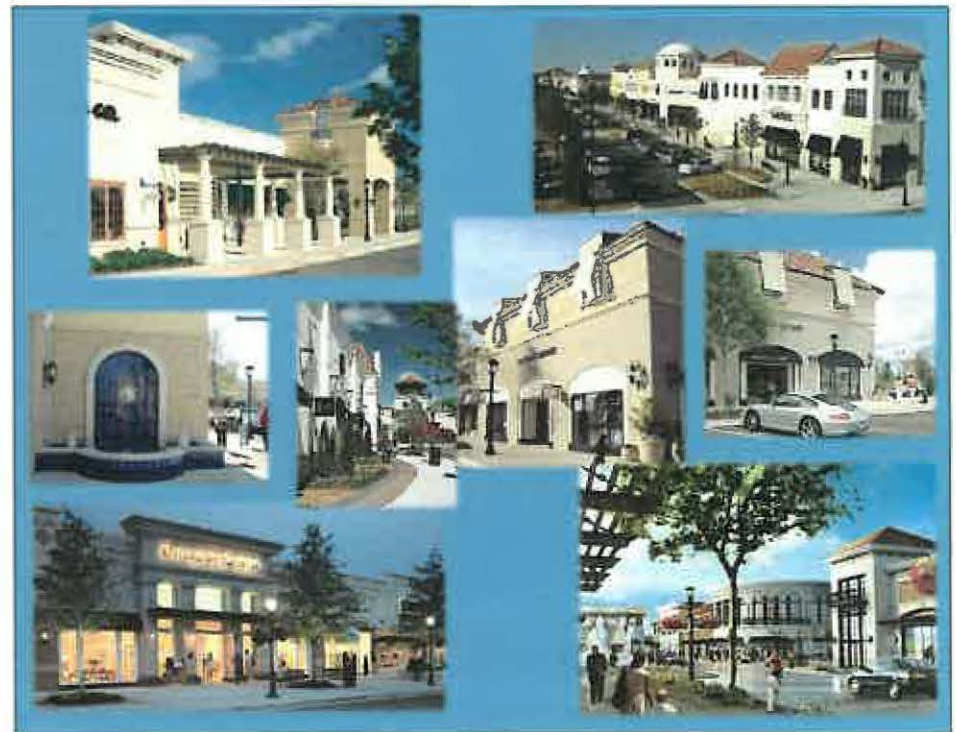
## Subarea 3

**Facade Articulation:** This requirement applies to all building facades. The facade should be treated to avoid large expanses of uninterrupted wall area. A substantial change in material or at least a 1' change in plane is required at a spacing of 30' horizontally between 0' and 12', above 12' this dimension may be increased to 60'. A change in paint color does not constitute a substantial change.

**Building Materials:** Primary (75% min of wall surface) Clay masonry (brick or tile), Stone (native or synthetic), Glass storefront or curtain wall systems, Stucco, EIFS (above 12' finish floor or adjacent grade whichever is higher), Cast Stone masonry, Precast concrete. Secondary (25% maximum of wall) GFRC (trim and accents) Metal, split-face block, Glass block. These materials apply only to the visible portions of the exterior facades. Visible roofs shall be constructed of one of the following materials: Clay roof tiles or standing seam metal, or similar metal roof products.

**Screenwalls and Retaining Walls:** Shall be constructed of materials similar to those used on the adjacent buildings.

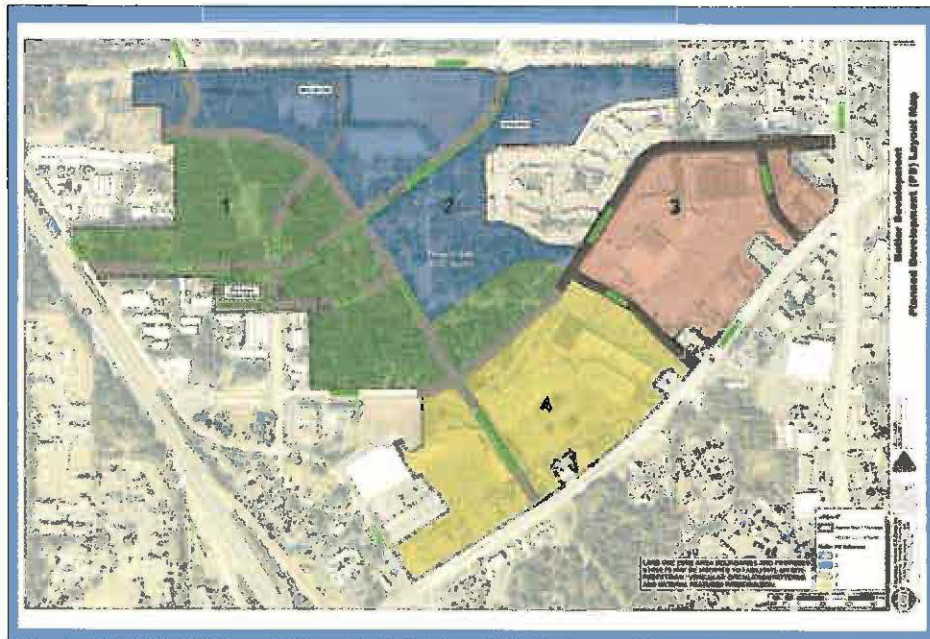
## Architectural Themes and Articulation



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Exhibit "C" to Ordinance No. 150440

# Subarea 4, Existing Retail Center



## **Subarea 4**

**Facade Articulation:** This requirement applies to all building facades. The facade should be treated to avoid large expanses of uninterrupted wall area. A substantial change in material or at least a 1' change in plane is required at a spacing of 30' horizontally on the primary facade, 60' on other facades. A change in paint color does not constitute a substantial change.

**Building Materials:** Primary (75% min of wall surface) Clay masonry (brick or tile), Stone (native or synthetic), Glass storefront or curtain wall systems, Stucco, EIFS (above 12' finish floor or adjacent grade whichever is higher), Cast Stone masonry, Precast concrete.

Secondary (25% maximum of wall) GFRG (trim and accents) Metal, split-face block, Glass block. These materials apply only to the visible portions of the exterior facades.

Visible roofs shall be constructed of one of the following materials: Clay roof tiles or standing seam metal, or similar metal roof products.

**Screenwalls and Retaining Walls:** Shall be constructed of materials similar to those used on the adjacent buildings.

## Architectural Themes and Articulation



Illustrations shown are for architectural themes only including, but not limited to, the intent of articulation and materials depicted. In no way shall these illustrations be assumed to be the final elevations

Exhibit "C" to Ordinance No. 150440

page 44 of 44

# **BUTLER ENTERPRISES**

## *Planned Development (PD) REPORT*

***Prepared for Submittal to:***  
City of Gainesville, Florida

***Prepared on Behalf of:***  
S. Clark Butler Properties, LTD., et. al.

***Prepared by:***



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**December 11, 2015**

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## **BUTLER ENTERPRISES PLANNED DEVELOPMENT (PD) REPORT**

### **Purpose and Intent**

The subject property is commonly referred to as the "Butler Development" and is generally located between SW Archer Road and SW 24<sup>th</sup> Avenue and between SW 40<sup>th</sup> Boulevard and SW 34<sup>th</sup> Street. The City Commission on January 5, 2012, adopted Ordinance No. 090538 and rezoned the Butler Development to Planned Development District (PD), which is a zoning district that allows landowners or developers to submit unique proposals that are not provided for or otherwise achievable in the zoning districts established by the City of Gainesville Land Development Code. Subsequently, the City Commission on November 21, 2013, adopted Ordinance No. 121108 and amended the Butler Development PD by adding several additional outparcels along Archer Road and revising the overall layout and certain development requirements. The landowner/developer of the Butler Development now requests another amendment to the PD. If adopted, Ordinance No. 150440 will amend the Butler Development PD by adding another outparcel along Archer Road (the current site of the Olive Garden restaurant) and making minor revisions and updates to certain requirements in this PD Report.

PD Ordinance No. 121108 did ~~The Rezoning to Planned Development (PD)~~ does not increase the entitlements ~~previously afforded, but~~ currently afforded under the existing PD. Rather, the Rezoning is primarily being sought in order created a more practicable plan for infrastructure, relocated the Town Center, provided flexibility in implementation, and incorporated several small contiguous parcels into the PD. relocation of a Town Center, and flexibility in implementation. Consequently, the Rezoning Ordinance amends the previously adopted PD Layout and PD Ordinance Conditions to reflect these changes. The Rezoning's secondary purpose is to incorporate several small contiguous parcels into the PD, and to modify the PD Layout to address inconsistencies between parcel boundaries and the actual PD Layout. PD Ordinance No. 121108 also enabled reuse, redevelopment, and reorientation of the PD's developed portions, created a functional transportation network, and allowed a Town Center form and aesthetic to be created, making this area of Archer Road less fractured.

In addition to creating a more practicable infrastructure plan for the PD's undeveloped portion, the Rezoning enables reuse, redevelopment, and reorientation of the site's developed portions. Fragmented transportation patterns internal to the site's developed areas can be modified to create a functional transportation network. In so doing, a Town Center form and aesthetic can be created, making this portion of Archer Road less fractured. All of this is accomplished without increasing entitlements or changing the previous PD's overarching principles.

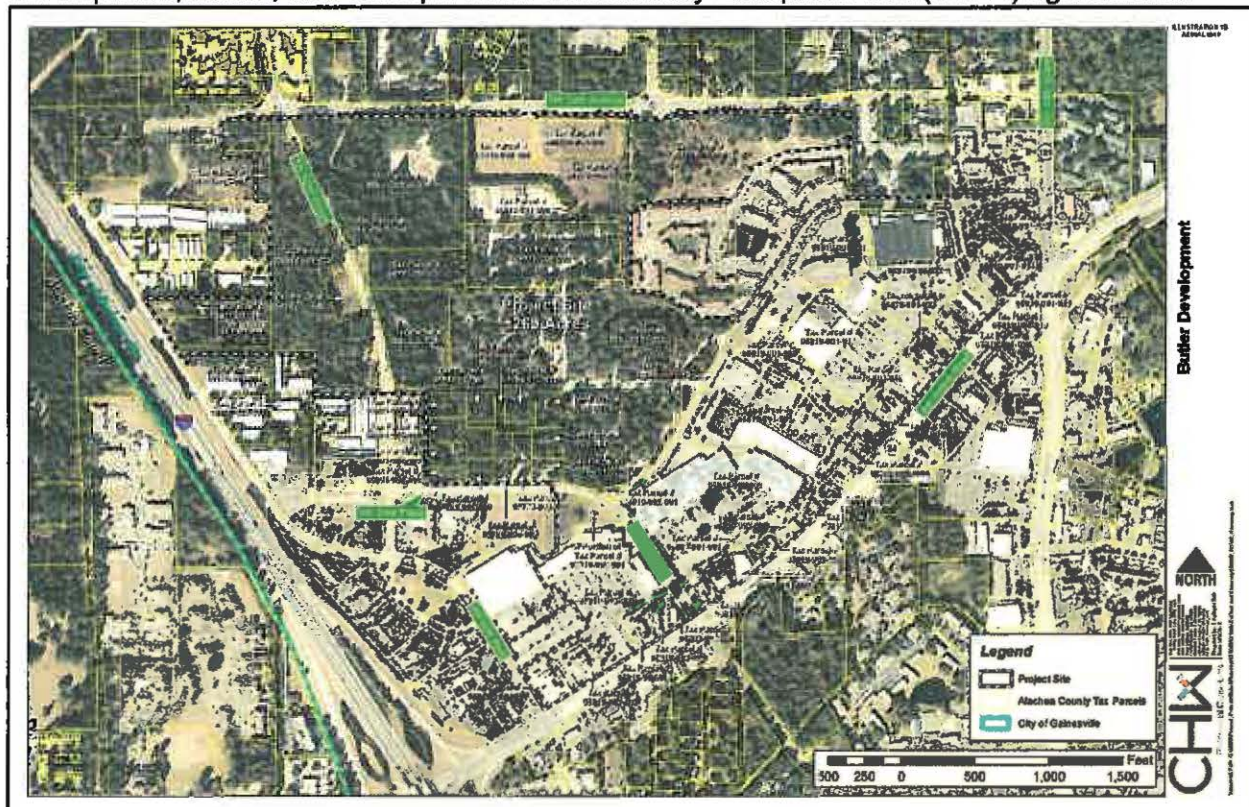
The PD reorients the previously adopted infrastructure and roadway network in order to disperse the entitlements in a manner that reinforces the adjacent Urban Village/Urban Mixed Use 2 (UMU 2) subarea of Gainesville. The current PD's eleven (A through K) typical roadway sections have been reduced down to four (4) street design guidelines, one of which is maneuvering lanes. Maneuvering lanes have been given five (5) specific design guides to illuminate their placement in various development conditions.

On April 28, 2008, Butler Enterprises and adjacent properties were voluntarily annexed into the City of Gainesville via Ordinance 070722. On January 5, 2012, the City Commission approved the current Butler Plaza PD via Ordinance 090538. Generally, the current PUD and PD entitle the development for a mix of commercial, retail, service, office, hotel, and residential uses. These entitlements remain unchanged, as illustrated by Table 1 below:

**Table 1: Entitlements**

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

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



**Figure 1: Site**

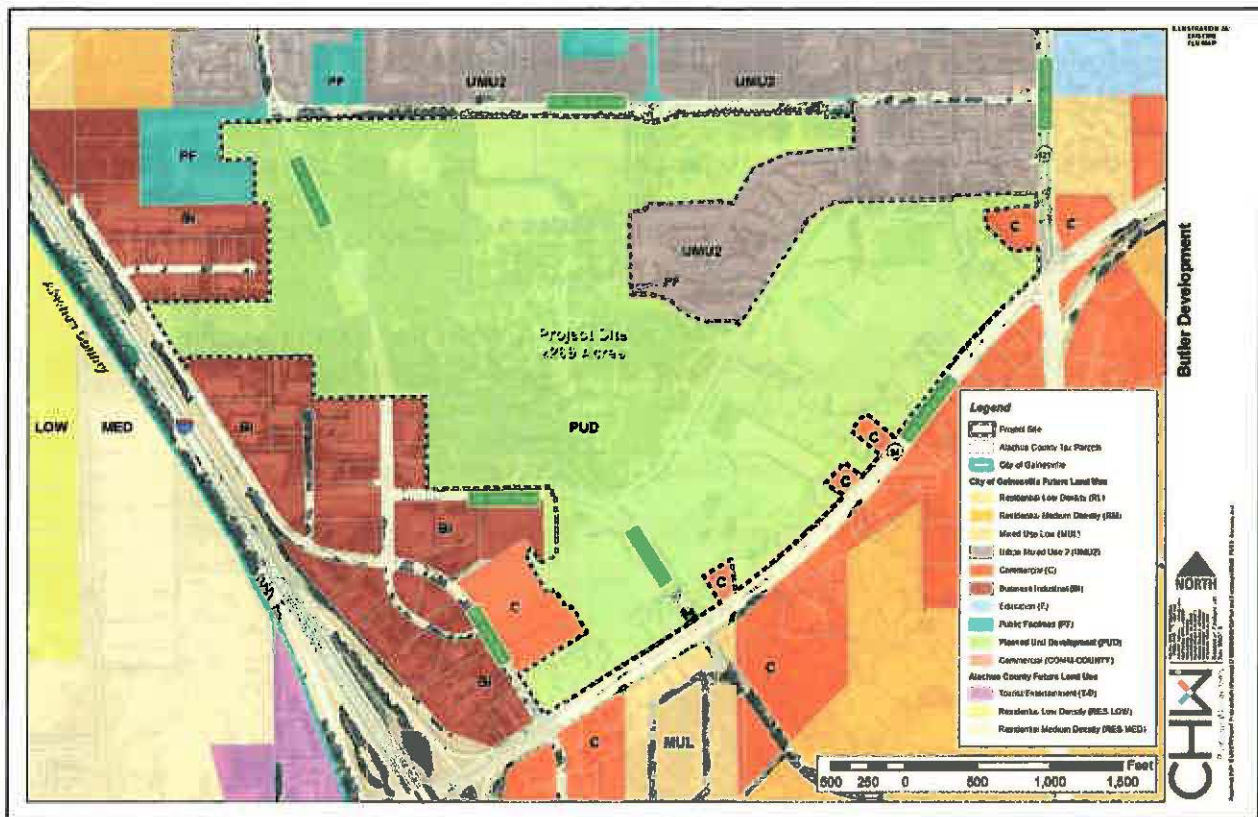


Figure 2: Existing Future Land Use Map

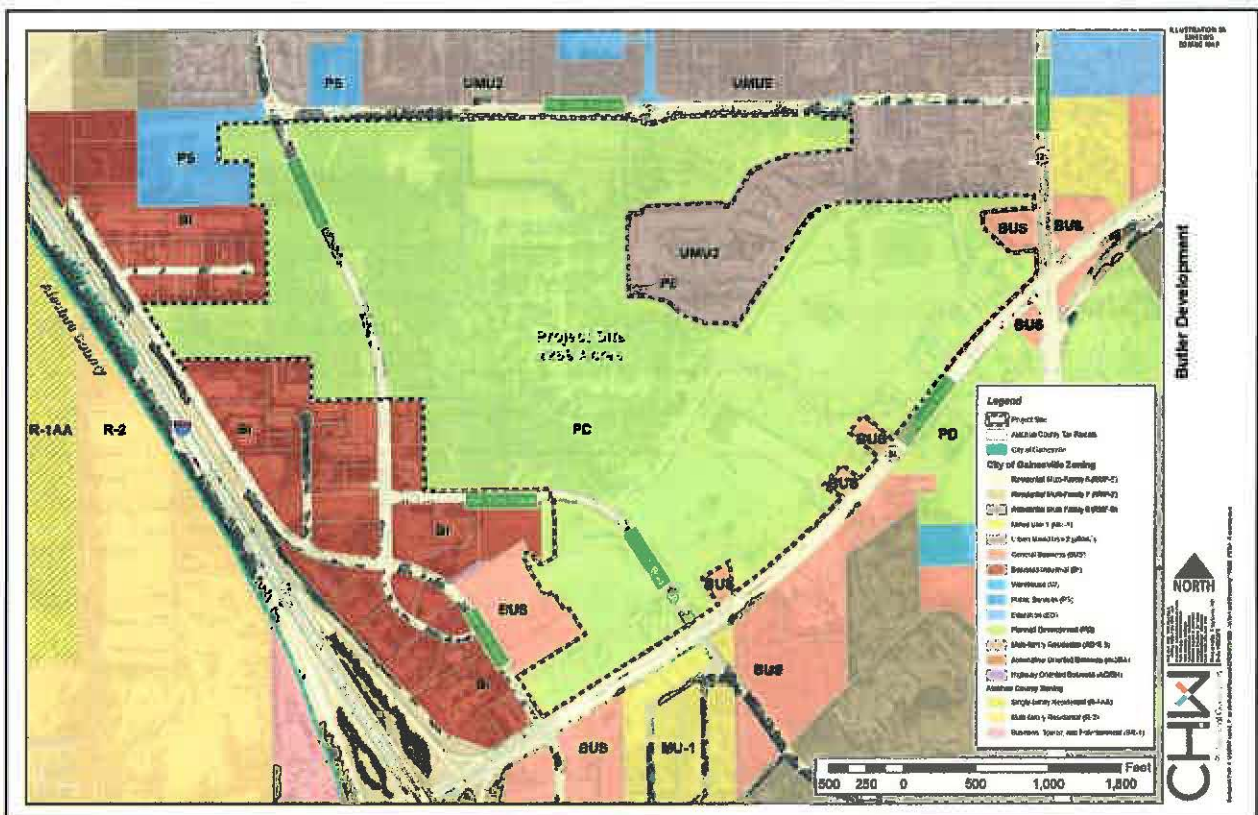


Figure 3: Existing Zoning Map

Surrounding FLU and Zoning designations are identified in Figures 2 and 3, respectively, and summarized in Table 2. Generally, to the site's north is a mixture of undeveloped parcels and multi-family developments. To the site's south is the Archer Road commercial corridor. To the site's west are properties entitled for business/industrial uses, and include a self-serve car wash, a self-storage facility, an industrial park, and various offices. To the site's east are apartments and the SW 34<sup>th</sup> Street/Archer Road intersection, which includes various commercial uses (e.g. gas station, restaurants, retail, etc).

**Table 2: Surrounding Future Land Use and Zoning Designations**

Direction	Future Land Use Designation	Zoning Designation
North	Urban Mixed Use 2 (UMU 2) and Public Facilities (PF)	Urban Mixed Use 2 (UMU 2) and Public Services (PS)
South	Commercial (C) and Mixed Use Low (MUL)	General Business (BUS), Mixed Use 1 (MU-1), and Planned Development (PD)
West	Business Industrial (BI) and Public Facilities (PF)	Business Industrial (BI) and Public Services (PS)
East	Urban Mixed Use 2 (UMU 2) and Commercial (C)	Urban Mixed Use 2 (UMU 2) and General Business (BUS)

## Statistical Information

Table 3 Entitlement Standards identifies the permissible residential and non-residential PD entitlements. The PD entitlements may be located in any Subarea, subject to the PD design standards outlined in Table 6.

**Table 3: Entitlement Standards**

Description	PD Total Area
Total Site Acreage	± 268.3
Entire PD maximum building coverage	Subarea 1: 50% Subarea 2: 70% Subarea 3 & Town Centers: 90% Subarea 4: 50%
Entire PD maximum impervious ground coverage	80%
Maximum number of dwelling units	1,000 units
Nonresidential Uses	Commercial: 2,500,408 square feet Office: 250,000 square feet Hotel: 500 rooms

The maximum cumulative development program for the PD is limited to 37,591 average daily trips, as calculated by the most current ITE Trip Generation Manual.

**Table 4: Permitted Uses**

Permitted Use	Additional Criteria
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Single-family attached and multi-family, including accessory uses and amenities	Twenty percent (20%) of the units shall be "affordable" pursuant to FLUE Policy 4.3.6, as may be amended or renumbered.
Retail sales, including discount and specialty retail	Subject to specific limitations as to building footprint maximums contained herein
Personal services	N/A
Hotels, motels, and bed & breakfast establishments	N/A
Restaurants and cafes, including outdoor cafes as an accessory use	N/A
Theaters	N/A
Nursing homes, assisted living facilities, and day care centers	N/A
Alcoholic beverage establishments	Consistent with special use regulations in the Land Development Code
Private street closures for special events, including temporary on-street sales and service of alcoholic beverages	Consistent with special event regulations in the Land Development Code
Veterinary and animal care services	Must occur within fully enclosed building
New and used motor vehicle sales	Outside display or storage of vehicles is prohibited
Limited automotive services	Subareas 1 & 4 only consistent with the Comprehensive Plan and Land Development Code
Drive-through facilities as accessory uses to permitted principal uses	Consistent with General PD Design Standard #3

**Table 4 (Continued)**

Up to two (2) wireless communications towers	Subarea 1 only; consistent with special use regulations in the Land Development Code
Construction trade, landscape, and horticulture services	N/A
A maximum of two (2) facilities with gasoline and alternative fuel sales are permitted within Subarea 4, and one (1) facility with gasoline and alternative fuel sales is permitted within Subarea 1, with up to 12 fueling positions in each facility.	Consistent with the special use regulations in the Comprehensive Plan and Land Development Code
Business, professional, financial, government, and medical/dental offices, including health services	N/A
Civic uses and organizations (e.g. museums, art galleries, schools, private schools, etc.)	N/A
Temporary sales of motor vehicles with outdoor display and sales (e.g. "tent" sales)	Events by licensed dealers shall be allowed by special event permit only in Subareas 1, 2, and 4, and subject to the following restrictions: <ol style="list-style-type: none"> <li>1. The sales event shall not exceed four (4) consecutive days.</li> <li>2. A maximum of 12 sales events per year.</li> <li>3. A maximum of 200 vehicles per sales event.</li> </ol>
Showcase vehicle outside display	In all subareas, subject to the following restrictions:

	<ol style="list-style-type: none"> <li>1. A maximum of three (3) showcase vehicles per subarea.</li> <li>2. A showcase vehicle shall not be located in a parking space.</li> <li>3. A showcase vehicle shall not interfere with pedestrian traffic.</li> <li>4. General locations shall be identified on development plans at final development plan approval.</li> </ol>
Vehicle Show Events (No Retail Sales)	<p>In all subareas, by special event permit and subject to the following restrictions:</p> <ol style="list-style-type: none"> <li>1. The vehicle show event shall not exceed four (4) consecutive days.</li> <li>2. A maximum of 12 vehicle show events per year.</li> <li>3. A maximum of 200 vehicles per show event.</li> </ol>

## Town Center Requirements

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

**Table 5: Town Center Minimum Entitlements**

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

## **PD Development Standards**

The following PD Development Standards are grouped by subject into subsections for design standards, signage, landscaping, and stormwater management.

### ***General PD Design Standards***

The following items are general PD design standards. Table 6 contains specific design standards categorized by Subarea. Additional design standards for a Town Center augment those identified in Table 6.

1. No more than six (6) single-occupant, single-story buildings with ground floor footprints exceeding 150,000 square feet shall be allowed within the PD.
2. Outside storage and display areas are limited to 25% of the primary use floor area, may not be located within 50' of a public right-of-way or residential use. Outside storage and display areas shall be designated on development plans.
3. Drive-through facilities, accessory to principal uses, are permitted in all Subareas, consistent with the following requirements:
  - a. Provision of safe pedestrian and bicycle routes which connect to the street sidewalk and adjacent developments and do not cross drive-through lanes;
  - b. Bicycle parking located near building entrances;
  - c. Adequate queuing space for vehicles such that there is no back-up of traffic onto adjacent roadways;
  - d. Provision of a by-pass lane or sufficient driveway area around the drive-through lanes to assist internal vehicular circulation;
  - e. Location of drive-through lanes away from primary street frontages and along the side or rear of buildings (for corner lots, drive-through lanes may be located only along the secondary street and only when screened by additional landscaping including 65-gallon semi-evergreen shade trees and a row of shrubs or garden wall). For the purposes of drive-through facilities, primary street frontages are identified by the location of a building's primary public entrance (i.e. front door);
  - f. Provision of an appropriate number of drive-through lanes based on the operating conditions of the impacted public streets and operational and safety concerns at the site, not to exceed four total lanes per use within Subareas 1, 2, and 4. One drive-through lane is permitted for each use within Subarea 3, and with up to four (4) permissible by grant of a Special Use Permit;
  - g. No direct driveway connections to public right-of-way or private streets; and
  - h. Design of access points and ingress/egress directional flows to minimize impacts on the internal access roadway and non-motorized traffic.
4. Structured parking facilities.

- Structured parking shall provide architectural detailing on the first and second stories, such as, but not limited to, variations in materials, framing of wall openings, vertical or horizontal expression lines, pilasters, arches, or railings.
  - Automobiles shall be screened from street view by wall, fence or vegetative matter.
  - For public street frontage facades, parking structures shall contain first-floor liner commercial or office uses. Structured parking that is integrated with and connected to commercial, office, or multi-family residential buildings shall not be required to contain office or retail uses along the first-floor street frontage.
  - Structured parking may provide spaces in excess of the maximums identified in the Land Development Code.
5. With each development plan within the PD, pedestrian and bicycle facilities shall be provided, the exact location of which will be determined during the development review process. All Subareas will include an interconnected system of sidewalks or multi-use paths sufficient to ensure pedestrian and bicycle accessibility to all development, open or civic space, and the public realm. Pedestrian and bicycle facilities shall link streets, buildings, parking, transit facilities, and open space areas within and among the subareas. A network of sidewalks and street trees shall be provided on all internal streets (public and private) and maneuvering lanes. Sidewalks and pathway connections shall be made from the internal pedestrian system to the public right-of-way adjoining the PD.
  6. Right-in/right-out access on SW 62<sup>nd</sup> Boulevard Subarea 1 shall be permitted for large scale retail. Out parcels or out lots in Subarea 1 shall only access internal to the large scale retail parking areas, and have no direct access to SW 62<sup>nd</sup> Boulevard. Outparcel driveways or access connections to SW 62<sup>nd</sup> Boulevard in all other subareas is prohibited. Buildings fronting SW 24<sup>th</sup> Avenue shall locate parking to the side or rear. In Subarea 1, with the exception of large-scale retail uses (single-occupant, single-story buildings over 100,000 square feet), any buildings fronting other public streets shall provide no more than a double-loaded row of parking between the building and the street.
  7. One or more usable parks, squares, or plazas totaling at least 2 acres (with none less than 10,000 square feet) shall be provided within the PD. These parks, squares or plazas shall be constructed, owned and maintained by the Developer (S. Clark Butler Properties LTD and their successors and assigns).
  8. When ~~facing~~ fronting a public or private street, or main street, each use is required to provide a functional ~~main~~ entrance facing the street.
    - ~~A main entrance shall be indicated on the floor plan with the placement of atriums, lobbies, or other entry/greeting areas at the entrance.~~
    - ~~A main~~ The entrance shall also be indicated on building elevations through the inclusion of awnings, arcades, porches, archways or similar entry features, and by providing a level of architectural detailing that is comparable to other entrances.

- Where a use has facades on two street frontage facades, an entrance is only required to face one of the streets ~~only one main entrance is required~~.
- Corner entrances that are diagonally facing the street are acceptable to satisfy this requirement.
- These Main-entrances shall provide a minimal amount of cover from weather in the form of a recess, awning, or similar feature.

9. Glazing/Transparency:

- a. Glazing shall be provided along each front facade. Glazing requirements within each subarea shall be provided at the percentage in Table 6: PD Design Standards by Subarea, and shall be calculated as shown on Figure 4: Glazing Requirements Diagram. Glazing shall first be applied between 3' and 8' Above Finished Floor (AFF) for each habitable floor to satisfy the minimum glazing area requirements; however, the City Manager or their designee may grant a waiver to enable glazing to be satisfied between 0' and 10' AFF for each floor. Minimum glazing requirements apply to buildings not individual store fronts.
  - b. Glazing is not required on sides or the rear of buildings within Subareas 1, 2, or 4. Within Subarea 3, glazing is not required on the interior sides or rear of buildings, but is required on the sides of the building facing streets or maneuvering lanes, as indicated in Table 6: PD Design Standards by Subarea.
  - c. Glazing requirements may be met by glazing that provides 80% minimum transmittance, in the form of windows, show windows, glass doors, and similar design features. Alternatively, not more than 50% of the required glazing area may be met by the following, providing it is approved through grant of a modification of standards by the City Manager or designee, or by the reviewing board.
    - i. Shutters or Louvers: Shutters, louvers, blinds or similar features designed to appear as shuttering an opening into the building, providing that they maintain the appearance of a functional window.
    - ii. Spandrel or Backlit Glazing: Spandrel or translucent backlit glazing designed to appear as a window or door opening.
    - iii. Wall Fountain or similar design feature: Use of fountains or other architectural features on the wall to add interest.
10. Screenwalls, retaining walls, and garden walls shall be constructed of materials similar to those used on adjacent buildings.
11. Awnings may be provided on buildings, but may not be used to comply with the building articulation requirements unless they are substantial enough to be considered permanent components of the building.
12. Mechanical equipment shall be located behind screen walls, interior to buildings or on building roofs, and screened from public view.

13. Solid waste and recycling facilities, and loading areas shall be screened from public/private streets, maneuvering lanes, and non-PD properties, and located a minimum of 5 feet from any public/private street, providing that odor and noise mitigation is in place, or 30 feet otherwise. Trash and recycling locations shall be defined and permanently screened with walls, fences, and/or landscaping. The height of trash and recycling collection devices shall not exceed screening height.
14. The development of public streets and pedestrian right-of-ways shall be consistent with the location, street types and cross-sections as depicted on the PD Layout Map included as Attachment I and the Typical Sections included as Attachment II. With the exception of SW 62<sup>nd</sup> Boulevard and streets not shown on the PD Layout Map, all streets shall be designed consistent with the cross sections identified in Attachment II. Minor adjustments to the location of streets and pedestrian right-of-ways may be approved through the development review process, where it is demonstrated that these adjustments will not affect the overall layout and function of the approved street grid system.
15. There is a maximum perimeter block length of 2,000 feet for Subareas 2, 3, and 4. Within Subarea 1, the perimeter block length cannot exceed 3,200 feet. For purposes of the PD, "block" means a lot or lots surrounded by public streets, private streets, maneuvering lanes, main streets, pedestrian streets, multi-use paths as shown on the PD Layout Map, or within Subareas 1 and 2 only, adjacent (Non-PD) property. For Subarea 4, the maximum perimeter block length requirement becomes effective upon cumulative removal and replacement of 50% or more of the existing building footprint (i.e. complete demolition and replace of buildings) or cumulative development of 25% new building square footage. Interior renovations to existing buildings, façade upgrades, and additions to existing buildings do not constitute removal or replacement of an existing building footprint. At the time a development plan is submitted that trips one of these thresholds, a master plan shall be submitted that shows the general locations of new streets in the subarea.
16. Maneuvering lanes shall be allowed in all subareas and shall contribute to the internal grid-system framework. Maneuvering lanes shall be defined as vehicle use areas that connect off-street parking areas and that provide sidewalks and street trees on at least one side. On the side of a maneuvering lane that includes sidewalks and street trees, perpendicular vehicular access to parking areas shall be separated by at least 180 feet as measured from center-line to center-line in order to enhance pedestrian comfort and safety. If a sidewalk and street trees are provided on only one side of a maneuvering lane, parking shall be allowed along only one side. If a sidewalk and street trees are provided on both sides of a maneuvering lane, parking shall be allowed along both sides.
17. With the exception of 'main streets', pedestrian streets and maneuvering lanes, all private streets shall be constructed and maintained to public right-of-way standards.
18. All streets will be named in accordance with Chapter 23 of the City's Code of Ordinances.
19. Inverted crowns shall only be allowed on maneuvering lanes and in parking lots.
20. At the time of each development plan review within the PD, the applicant shall file an application for a Certificate of Final Concurrence with the City.

21. Applications for modifications to Windmeadows Boulevard and/or Butler Boulevard (SW 35<sup>th</sup> Boulevard) that require development review and/or City Commission review and/or that may temporarily or permanently affect ingress and egress to or through Subareas 3 or 4 shall require the signature or written consent of both ~~Regency Windmeadows Limited Partnership~~ Esplanade Capital, LLC and S. Clark Butler Properties LTD or their successors and assigns.
22. The Developer (S. Clark Butler Properties LTD and their successors and assigns) shall provide a historic marker describing the history of the Stengal Airfield, to be constructed through the Florida Historical Marker Program, in cooperation with the Alachua County Historical Commission.
23. Attachment 'IV' Architectural Illustrations provides design standards that will be incorporated throughout the PD, noting that a particular architectural vernacular has not been solidified.

*The following pages ~~14 and 15~~ contain "PD Design Standards by Subarea" and a "Glazing Requirement Diagram", respectively.*

# GLAZING REQUIREMENTS DIAGRAM

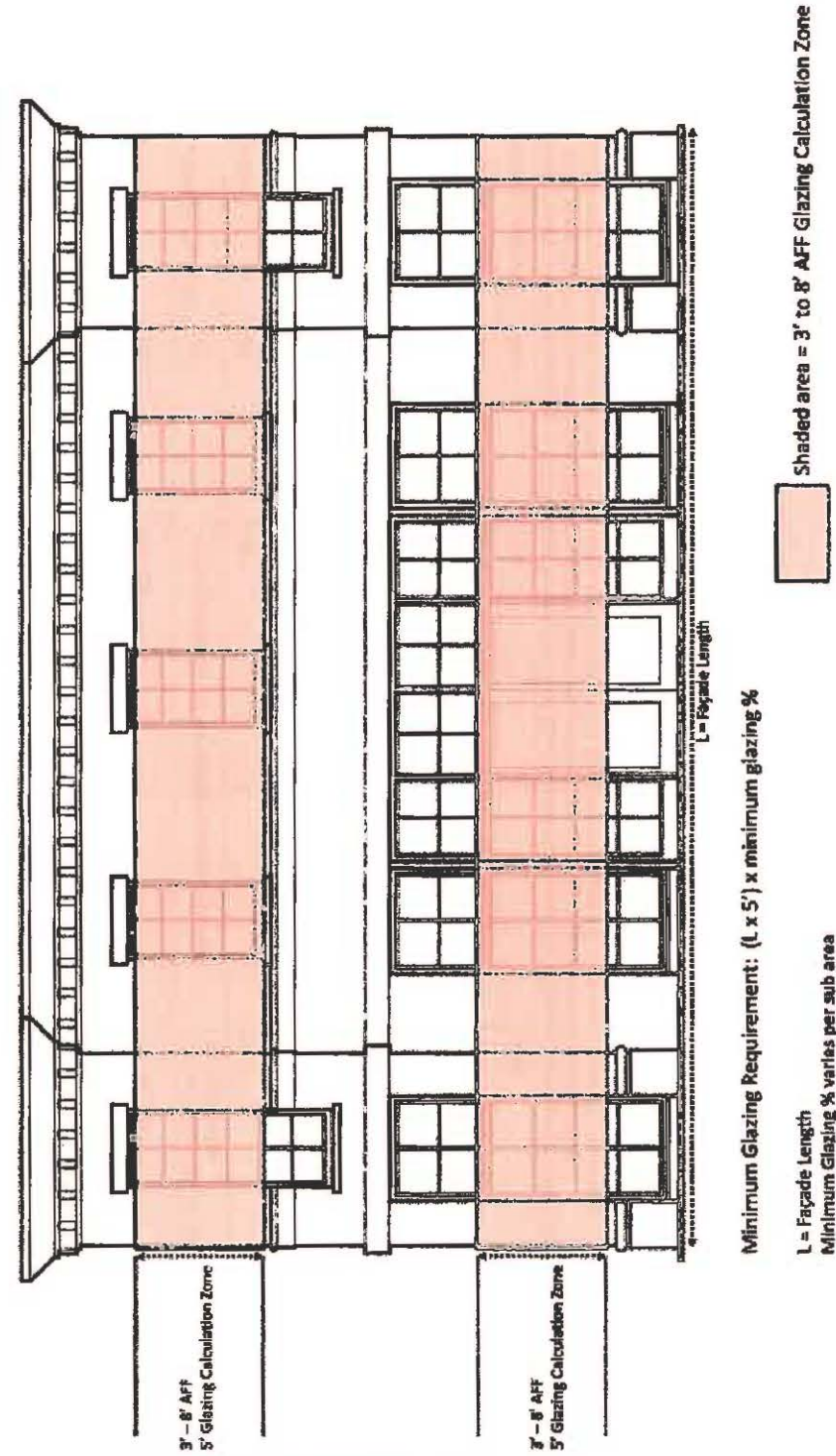


Figure 4: Glazing Requirements Diagram

Table 6: PD Design Standards by Subarea

Development Requirements	Subarea 1	Subarea 2	Town Centers & Subarea 3	Subarea 4
Maximum Building Height	Eight (8) Stories (do not apply to uninhabited functional space such as a mechanical penthouse, unoccupied attic space, or similar areas)			
Maximum Perimeter Block Length	3,200'	2,000'	2,000'	2,000'
Maximum Single-Occupant, Single-Story Building Footprint	200,000 ft <sup>2</sup>	120,000 ft <sup>2</sup>	150,000 ft <sup>2</sup>	200,000 ft <sup>2</sup>
Minimum Public/Private Street Building Frontage <sup>(1)</sup>	N/A	50% along SW 24 <sup>th</sup> Avenue; 30% 25% along SW 62 <sup>nd</sup> Blvd between Windmeadows Blvd and the multi-use path; and 50% 45% along SW 38 <sup>th</sup> Terrace for the first 1,000 linear feet extending north/northeast from SW 62 <sup>nd</sup> Blvd.	Main Street Frontages 70%	N/A
Public/Private Street Build-To-Line (measured from back of curb)	N/A	10' - 25' <sup>(2)(3)</sup>	10' - 45' 25' <sup>(3)</sup>	N/A
Minimum Building Setbacks From Abutting Properties Not Within the PD	25'	10' for residential, 25' for commercial and mixed-use	10' for residential, 25' for commercial and mixed-use	10'
Minimum Building Side/Rear Setbacks	25'	10'	N/A	N/A
Minimum Sidewalk Widths (along Public/Private Streets & Maneuvering Lanes)	6'	8'	8'	6'
Minimum Front Façade Glazing <sup>(4)</sup>	1 <sup>st</sup> Floor: 25% of AFF (3' - 8') Upper Floors: 10% of AFF (3' - 8')	1 <sup>st</sup> Floor: 25% of AFF (3' - 8') Upper Floors: 10% of AFF (3' - 8')	1 <sup>st</sup> Floor: 40% of AFF (3' - 8') for Main Streets; 15% of AFF (3' - 8') for all other streets and maneuvering lanes Upper Floors: 10% of AFF (3' - 8')	1 <sup>st</sup> Floor: 25% of AFF (3' - 8') Upper Floors: 10% of AFF (3' - 8')
Minimum Articulation on Building Walls	50'	30' (0' - 12') and 60' (12' and above)	30' (0' - 12') and 60' (12' and above)	30' on front facades and 60' on other sides of building
Minimum Designated Open/Green Space <sup>(5)</sup>	20%	20%	10%	20%
Maximum Building Coverage (within each subarea)	50%	70%	90%	50%

<sup>(1)</sup> For all subareas, with the first development plan for that subarea, a Development Master Plan shall be submitted to illustrate how minimum public/private street building frontage requirements will be met at build-out.

<sup>(2)</sup> Build-to-line may be increased to 80' along SW 62<sup>nd</sup> Boulevard between Windmeadows Boulevard and the multi-use path to accommodate gas easement.

<sup>(3)</sup> Porte cochères or covered drop-off areas may be located closer than 10', providing that the majority of a building maintains the minimum build-to-line requirement. Build-to-lines may be adjusted to accommodate plazas or outdoor seating, existing utility lines, or to preserve existing high-quality heritage trees such as in the case with restaurants or coffee shops.

<sup>(4)</sup> Doors, building vestibules, and display areas may be included in glazing calculations. Glass doors, building vestibules, and display areas are included in total façade surface area calculations. Glazing shall first be applied between 3' and 8' AFF for each floor to satisfy the minimum glazing area requirements; however, the City Manager or their designee may grant a waiver to enable glazing to be satisfied between 0' and 10' AFF for each floor.

<sup>(5)</sup> "Designated Open/Green Space" includes stormwater management facilities when their perimeter includes public space (e.g. landscaping, hardscape, trails or paths) or amenities (e.g. landscape or hardscape), parks, trails or paths, and/or other public space (e.g. plazas, squares, public commons, and/or open-air malls). Designated open/green space is measured for the subarea, not on a parcel-by-parcel or lot-by-lot basis.

## **Unified Master Signage Plan**

All new signage shall comply with the Master Signage Plan adopted in Ordinance No. 140501, which by reference is made a part hereof. ~~at a minimum, meet the City's sign regulations in effect at the time of development plan approval. All proposed signs shall be classified as a sign type identified in the City's sign regulations and shall meet the maximum sign dimensions, area, and other design standards for that type of sign, with the following exceptions:~~

1. Any application for proposed signs or modifications to signage jointly shared by ~~Regency Windmeadows Limited Partnership~~ Esplanade Capital, LLC and S. Clark Butler Properties LTD or their legal successor and/or applications modifying signage for their respective tenants, specifically including the multi-tenant sign located at the intersection of Butler Boulevard (also known as SW 35th Boulevard) and Archer Road, shall include the signature or written consent of co-applicants ~~Regency Windmeadows Limited Partnership~~ Esplanade Capital, LLC and S. Clark Butler Properties LTD, or their legal successors.
2. Existing non-conforming signs within Subareas 3 and 4 are allowed to change the face of signs without reducing the sign dimensions or reconstructing the entire sign. Change of face is a sign change in which one of the following changes is made: only the plastic face of an internally lit sign cabinet is exchanged for a new face; or a painted sign is repainted with no overall increase in sign area.
3. ~~No freestanding signs (other than pedestrian directory signs and vehicular directional signs) shall be permitted along the main street within a Town Center.~~
4. ~~Any businesses within the PD may be advertised on one of three monuments signs located near the intersections of Archer Road/SW 62<sup>nd</sup> Boulevard, Archer Road/Butler Boulevard, and Windmeadows Boulevard/SW 34<sup>th</sup> Street.~~
5. ~~The following signs, unique to this PD, do not require a sign permit and shall not be counted against the maximum signage otherwise allowed for the PD pursuant to this Ordinance or the Land Development Code.~~
  - a. ~~A total of four Landmark Identification Features are allowed within the PD—one each within Subareas 1, 2, 3, and 4. These features shall be limited to a maximum height of 24 feet and shall only display the name of the overall PD development (for example, Butler Planned Development) or the name of the Subarea within the PD development (for example, Butler Town Center). Each Landmark Identification Feature may have a maximum of four sides, with a sign area on each side, and each sign areas shall be limited to a maximum of 20 square feet. The Landmark Identification Features shall be located a minimum of 50 feet away from any other free-standing sign. Any Landmark Identification Feature along Archer Road shall require the removal of existing identification signage at that same location, and the final design and placement of these Landmark Identification Features shall be subject to review and approval by the City during development plan review.~~
  - b. ~~Decorative Pole Banners with commercial messages are allowed within the PD. The number and location of such shall be subject to review and approval by the City during development plan review. A Decorative Pole Banner is a freestanding sign that orients and guides pedestrians. A Decorative Pole Banner~~

is limited to a maximum of 18 square feet of sign area and a maximum height of twelve feet.

- c. ~~Pedestal and kiosk directional signs with commercial messages are allowed within the PD. Pedestal and kiosk directional signs display maps and business names to guide and orient pedestrians. Pedestal and kiosk directional signs are limited to a maximum of 18 square feet of sign area and a maximum height of five (5) feet.~~
- 6. ~~Architectural allowances are allowed for monument signs within the PD. The architectural allowances of 18 inches on the top of the sign and 12 inches on each side of the sign shall not count toward the maximum allowed sign area, and may exceed the maximum height by 18 inches. The architectural allowance shall not include any portion of text, logo, or other advertising material. The ground area between three and five feet away from the support base for monument signs shall be planted with appropriate landscaping materials with the intent of creating an aesthetically pleasing and visually compatible landscaped area around the sign. In addition, primary monument signs are permitted a 20% size bonus in sign area to encourage the use of monument signs instead of other forms of ground-mounted signs.~~
- 7. ~~As an alternative to the signage standards specified in the PD, the owners have the option of submitting a Master Signage Plan, subject to review and approval by the City Commission. Submittal of a Master Signage Plan must include the signature or written consent of co-applicants Regency Windmeadows Limited Partnership and S. Clark Butler Properties LTD, or their successors and assigns.~~

## **Tree Preservation and Landscaping**

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

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

City manager or designee), unless a water air exchange system or other measure deemed adequate by the City manager or designee is installed for the Heritage Tree. A certified arborist must be present during construction activities that require mechanical construction equipment and are occurring within the  $\frac{2}{3}$  drip line as defined herein.

4. Tree mitigation calculations for Heritage Trees of high quality species in good or excellent condition that are removed will be required on an inch-for-inch basis. Tree mitigation for non-Heritage regulated trees shall not be required. A tree survey of non-heritage trees will not be required.

Landscaping should be an integral part of the PD, defining major entryways and vehicular and pedestrian corridors, and serving to screen parking and service areas from the street and adjacent uses. Landscaping that is adjacent to streets and sidewalks shall include shade trees and shrubs that frame these corridors. Except as specifically provided in this Ordinance, all new development within the PD will, at a minimum, meet the City's landscaping regulations in effect at the time of development plan approval.

1. When a parking area for motor vehicles is adjacent to a public or private street, it shall be buffered with a garden wall 3 feet in height in order to enclose the portion of the parking exposed. Alternatively, landscaping 3 feet high within twelve months of planting may be used if it adequately defines the street corridor and screens the parking area with at least 75% opacity. However, such walls and/or landscaping must be broken up at intervals no greater than 100 feet to allow pedestrian access.
2. All parking lots shall contain landscaped islands at least nine feet in width occurring no more than 135 feet apart. The placement of landscaped areas throughout the interior of the paved area shall average one landscaped island for each ten parking spaces. Each required interior landscaped area shall be a minimum of 140 square feet in size with no dimension less than nine feet and contain at least one shade tree. Such tree(s) shall be located within the landscaped area to maximize the shading of the pavement.
3. High quality shade street trees from the Gainesville Approved Tree List shall be planted, subject to the following requirements:
  - a. Street trees shall be spaced at a minimum of every 50 feet on average on both sides of public and private streets, providing that the distance between street trees shall not exceed 80 feet or be less than 25 feet;
  - b. Street trees shall be 2 inch minimum caliper at the time of planting and shall be of a variety which will grow to an average mature spread of 20 feet or greater, unless a columnar variety is approved during development plan review;
  - c. Street trees shall be included in tree lawns (rather than tree gates) at least 8 feet in width on SW 62<sup>nd</sup> Boulevard extension, SW 38<sup>th</sup> Terrace/SW 30<sup>th</sup> Avenue, and along Windmeadows Boulevard and SW 37<sup>th</sup> Boulevard where these streets are adjacent to new development;

- d. Where on-street parking is provided, trees may be located within 8 foot-wide bulb-outs that are separated by parking spaces, as long as the required total number of street trees are still included along the street length;
  - e. The required high-quality shade trees may be provided within tree grates on all other streets and drives within the development. Tree grates should be a minimum of 18 square feet in area, and trees shall be planted no closer to the streets than allowed by the Local Governments Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways;
  - f. Where required street trees are located adjacent to buildings, arcades, or other structures, they should be provided sufficient space to allow for the canopy of the shade tree to reach at least half of the dimension of the mature urban height as indicated on the Gainesville Approved Tree List; and
  - g. All street trees shall be required to provide 140 square feet of root room to a minimum depth of 3 feet, filled with rootzone media characterized by soil texture and structure appropriate for tree root growth.
4. Where 8-foot wide planting strips will not be provided between head-to-head parking rows, an alternative proposal to provide the combined planting areas shall be proposed during development plan review. The alternate landscaped area shall be located within or adjacent to the vehicular use area, and an equivalent planting area and number of shade trees shall be proposed. In Subarea 1, all head-to-head landscape strips may be eliminated using an alternative proposal submitted as part of development plan review. However, all other Subareas shall in no case propose more than two consecutive sets of head-to-head parking rows without a planting strip. Approval shall be subject to the determination of the reviewing entity that the modified proposal will provide a level of shading within the paved parking areas that is at least equivalent to what would be provided by the 8-foot wide planting strips.
5. No parking lot lights or utility infrastructure (including transformer boxes and underground water or sewer pipes) shall be placed within required parking lot landscape islands, unless the size of such islands is expanded so that the following criteria are met: the required high quality shade tree has a minimum of 140 square feet area above and below ground (with no pavement, building footers, canopies, balconies, and overhead or underground utility lines located in this area); separation requirements are met for underground utilities; a minimum 10 foot separation is provided from parking lot lighting; and spatial separation requirements are met for fire hydrants.

## **Stormwater Management Facilities**

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

1. Prior to development plan approval for the first phase of development, the owner/developer shall provide a master plan for stormwater management and open space.
2. Stormwater facilities shall satisfy the requirements of the St. Johns River Water Management District and the City's Land Development Code. The edges of the stormwater basins along public streets shall also be designed to function as linear parks. Wet basins shall include littoral zones for 20% of the basin perimeter, and dry basins shall be designed with an initial tier, or forebay, or other stormwater system component that is designed to capture the majority of sediments. Where the basins are adjacent to street frontages, they shall provide the required landscaping for stormwater basins as well as the required street buffer landscaping. Every 500 feet of basin perimeter shall include a basic pedestrian amenity, such as a bench and trash receptacle. Chain link fencing shall not be used in or around basins.
3. During development plan review, each new development (excluding public right-of-way and private streets), shall demonstrate the use of Low Impact Design (LID) Best Practices stormwater techniques or techniques contained within a published or professionally recognized LID manual. Each development within the PD that includes new building square footage shall be designed to ensure that at least 25% of the runoff from parking areas is pre-treated before discharge to the master system using a LID, which shall be enforced on an individual parcel level during development plan review. On-street parking provided along public streets, private streets, maneuvering lanes, or main streets within the development shall be exempt from this requirement. From the time LID system components are installed, the property owner shall thereafter be responsible for the maintenance of the LID system components in good and working order.
4. Within all development in the PD, impervious areas shall be reduced by utilizing the minimum sizes for parking spaces and drive aisles where feasible.

## **Development Schedule**

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

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

- ~~a. Prior to adoption of this PD Ordinance on 2<sup>nd</sup> reading, amend or re-execute an Agreement to Construct Transit Transfer Station and Park and Ride.~~
- a. The Developer, at no cost to the City, shall convey to the City lands for the following rights-of-way, the timing of which is subject to the ensuing conditions contained herein:
1. SW 62<sup>nd</sup> Boulevard extension from the PD's western boundary to SW 33<sup>rd</sup> Place;
  2. SW 38<sup>th</sup> Terrace from SW 24<sup>th</sup> Street to SW 42<sup>nd</sup> Street;
  3. SW 43<sup>rd</sup> Street from SW 62<sup>nd</sup> Boulevard to the PD's northern boundary;
  4. SW 30<sup>th</sup> Terrace from SW 62<sup>nd</sup> Boulevard to SW 42<sup>nd</sup> Street;
  5. SW 42<sup>nd</sup> Street from the PD's southern boundary to SW 62<sup>nd</sup> Boulevard;
  6. SW 30<sup>th</sup> Avenue from SW 40<sup>th</sup> Boulevard to SW 42<sup>nd</sup> Street, along the PD's southern boundary, except where it is contiguous to the Transit Transfer Station parcel in which case it shall be along that parcel's northern boundary;
  7. Ten (10) feet of additional right-of-way adjacent to, running parallel with and on the eastern side of Southwest 62<sup>nd</sup> Boulevard extension (Currently SW 37<sup>th</sup> Boulevard) from Archer Road to Windmeadows Boulevard; and
  8. Ten (10) feet of additional right-of-way adjacent to, running parallel with and on the western side of Southwest 62<sup>nd</sup> Boulevard extension (Currently SW 37<sup>th</sup> Boulevard) from Archer Road to Windmeadows Boulevard.
- b. Within one year of the first building permit being issued in Subarea 1 or 2, the Developer shall construct the below listed improvements within Subareas 3 and 4 (as identified in the PD Layout Map included as Attachment I.) No further building permits shall be issued in any Subarea of the PD until the improvements are completed.
1. Where FDOT has eliminated median openings in Archer Road the obsolete turn lane entrances in the PD will be renovated to replace some asphalt with pedestrian features and landscaped open space; and
  2. Proposed sidewalks as shown on Attachment III.
- c. Prior to the issuance of the first certificate of occupancy (CO) for any new building in Subarea 1 or 2, or upon the cumulative addition of five hundred (500) net, new p.m. peak hour trips of adjacent street traffic associated with development plans in Subareas 3 and 4, as determined using the latest edition of the ITE Trip Generation Manual<sup>1</sup> at that time:

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<sup>1</sup>Note: Using the ITE Land Uses for Shopping Center, General Office Building, Hotel, or Apartments as appropriate for the specific uses.

- ~~1. The Developer shall construct a southbound left turn lane at the Archer Road/I-75 interchange, subject to review and approval by the Florida Department of Transportation (FDOT), or execute an agreement with FDOT for the FDOT to construct or have constructed the appropriate Archer Road/I-75 interchange modifications as determined by FDOT staff.~~
1. The Developer shall construct a transit transfer station and a 50-space park-and-ride lot (with landscaping and pedestrian connections to the transfer station) with two (2) access points on public streets. Upon inspection and acceptance by the City, the Developer shall convey the transit transfer station and the 50-space park-and-ride lot to the City, at no cost to the City. The Developer shall pay all costs associated with the transfer.
  - a. The transit transfer station and the 50-space park-and-ride lot shall generally be located at the intersection of SW 30<sup>th</sup> Avenue and SW 42<sup>nd</sup> Street, as more fully identified on the PD Layout Map (Attachment I), subject to approval and acceptance by the City of Gainesville. The maximum combined area required for the transfer station and park-and-ride lot shall be two (2) acres, including required stormwater management facilities. Prior to second reading of this Ordinance, the Developer shall execute a developer agreement that specifies the minimum development standards, conveyance and easement requirements, and surety requirements for the transit transfer station and park-and-ride lot.
  - b. The cost that the Developer shall be required to expend for the design, development approvals and construction (excluding land costs) of the transfer station shall not exceed \$1,250,000. The station shall include separate public and RTS staff restroom facilities, bicycle racks and storage, route map/information kiosks, minimum number of bays necessary to accommodate 6 buses and amenities for rider convenience including shelter, landscaping, lighting, seating and trash receptacles.
  - c. The addition of two (2) bus bays with shelters shall be developed at the Developer's expense along Windmeadows Boulevard within proximity to and/or part of Subarea 3. Each bus bay will be designed to accommodate the stacking of two (2) rigid or one (1) articulated bus. A safe crossing of Windmeadows Boulevard shall also be provided at a location to be approved by RTS.
2. The Developer shall construct and upon inspection and acceptance by the City, convey (if a public right-of-way) to the City, at no cost to the City, the following:
  - a. SW 62<sup>nd</sup> Boulevard extension from Archer Road to the PD's western boundary, including all of the required intersection modifications at Archer Road, Windmeadows Boulevard/SW 33<sup>rd</sup> Place, SW 42<sup>nd</sup> Street, SW 38<sup>th</sup> Terrace, SW 30<sup>th</sup> Terrace, and at the temporary realignment of SW 43<sup>rd</sup> Street. SW 62<sup>nd</sup> Boulevard extension shall be constructed consistent with the intent of the Metropolitan Transportation Planning Organization (MTP0) design elements included in the approved Alternative 4-B3 dated March 2, 2009, with the exception of dedicated transit lanes. The Developer shall convey to the City, at no cost to the City, the right-of-way for the dedicated

~~transit lanes consistent with the MTPO design. If the Developer elects to defer construction of the dedicated transit lanes within the SW 62<sup>nd</sup> Boulevard extension right-of-way from the PD's western boundary to Windmeadows Boulevard, the Developer shall provide the City with security in one of the forms specified in Sec. 30-186 of the City's Land Development Code (as that section may be amended or renumbered from time to time) and such security shall be equal to 120 percent of the estimated cost of construction for the dedicated transit lanes. Such security is required to ensure construction shall occur no later than the construction of dedicated transit lanes on SW 62<sup>nd</sup> Boulevard extension between SW 24<sup>th</sup> Avenue and SW 20<sup>th</sup> Avenue.~~

- b. SW 42<sup>nd</sup> Street from SW 30<sup>th</sup> Terrace to SW 62<sup>nd</sup> Boulevard extension shall be reconstructed in accordance with Attachments 'I' and 'II';
  - c. Reconstruction of SW 43<sup>rd</sup> Street from SW 62<sup>nd</sup> Boulevard extension to SW 24<sup>th</sup> Avenue;
  - d. SW 30<sup>th</sup> Avenue from SW 40<sup>th</sup> Boulevard to SW 42<sup>nd</sup> Street, consistent with Attachments I and II, which shall include a 12-foot wide section of the Archer Braid Trail. The design of the street shall include provisions for connecting to the SW 30<sup>th</sup> Avenue bridge street system on the east side of I-75 where it intersects with SW 42<sup>nd</sup> Way. If the eastern portion of the bridge has been constructed and dedicated as public right-of-way, the Butler development shall be responsible for constructing the connection(s) from SW 30<sup>th</sup> Avenue to the intersection of the SW 30<sup>th</sup> Avenue bridge street system and SW 42<sup>nd</sup> Way"; and
  - e. Multi-use path extending from SW 24<sup>th</sup> Avenue to SW 62<sup>nd</sup> Boulevard as generally located on the PD Layout Map (Attachment I) and designed in accordance with the cross-section for such identified on Attachment II.
3. If all of the specific improvements lettered a – e above are under construction and all are within three months of being completed ~~(except for the dedicated transit lanes which may be deferred as set forth in 4)~~, as determined by the City Public Works Department, a CO may be issued for any development provided the Developer provides the City with security in one of the forms specified in Sec. 30-186 of the City's Land Development Code (as that section may be amended or renumbered from time to time) and such security is equal to 120 percent of the estimated costs of the remaining construction, and further provided the necessary traffic control signage is installed if the roadway is sufficiently complete to be open to traffic.
- d. Prior to any CO being issued within Subarea 1, the Developer shall construct and upon inspection and acceptance by the City, convey to the City, at no cost to the City, SW 38<sup>th</sup> Terrace between SW 42<sup>nd</sup> Street and SW 62<sup>nd</sup> Boulevard extension in accordance with Attachments I and II, which shall include a 12-foot wide section of the Archer Braid Trail. If SW 38<sup>th</sup> Terrace is under construction and is within three months of being completed, as determined by the City Public Works Department, a CO may be issued for any development provided the Developer provides the City with security in one of the forms specified in Sec. 30-186 of the City's Land Development Code (as that section may be amended or renumbered from time to

time) and such security is equal to 120 percent of the estimated costs of the remaining construction, and further provided the necessary traffic control signage is installed if the roadway is sufficiently complete to be open to traffic.

- e. Prior to any CO being issued within Subarea 2, the Developer shall construct and upon inspection and acceptance by the City, convey (if a public right-of-way) to the City, at no cost to the City, the following:
  - 1. SW 38<sup>th</sup> Terrace between SW 62<sup>nd</sup> Boulevard extension and SW 24<sup>th</sup> Avenue, consistent with Attachments I and II, which shall include a 12-foot wide section of the Archer Braid Trail. The full extent of SW 38<sup>th</sup> Terrace within the PD shall be dedicated, at no cost to the City, as a public street following inspection and acceptance by the City. SW 38<sup>th</sup> Terrace shall include additional measures for the protection of bicyclists (such as, but not limited to, signage and pavement markings) crossing the intersection at SW 62<sup>nd</sup> Boulevard extension and SW 38<sup>th</sup> Terrace;
  - 2. Signalization and westbound, left turn lane modifications at the intersection of SW 38<sup>th</sup> Terrace and SW 20<sup>th</sup> Avenue in accordance with the City's Traffic Management System (TMS) standards and the Highway Capacity Manual, providing that such improvements have not already been completed by other developers;
  - 3. Operational and safety modifications (OSM) to the intersections of ~~SW 34<sup>th</sup> Street and Windmeadows Boulevard, SW 34<sup>th</sup> Street and SW 24<sup>th</sup> Avenue, SW 34<sup>th</sup> Street and SW 20<sup>th</sup> Avenue, Archer Road and SW 40<sup>th</sup> Boulevard, and SW 40<sup>th</sup> Boulevard and SW 42<sup>nd</sup> Street.~~ All OSM shall be based upon an updated traffic study prepared by the Developer, subject to review and approval by the City's Public Works Department and/or FDOT; and
  - 4. If all of the specific improvements numbered 1 - 3 above are under construction and all are within three months of being completed, as determined by the City Public Works Department, a CO may be issued for any development provided the Developer provides the City with security in one of the forms specified in Sec. 30-186 of the City's Land Development Code (as that section may be amended or renumbered from time to time) and such security is equal to 120 percent of the estimated costs of the remaining construction, and further provided the necessary traffic control signage is installed if the roadway is sufficiently complete to be open to traffic.
- f. Operational and safety modifications (OSM) to the intersections of SW 34<sup>th</sup> Street and Windmeadows Boulevard and SW 34<sup>th</sup> Street and SW 24<sup>th</sup> Avenue shall be addressed within a Developer's Agreement that shall be approved prior to 2<sup>nd</sup> reading of this ordinance.
- g. Prior to the second CO being issued in Subarea 1, the Developer shall construct and upon inspection and acceptance by the City convey to the City at no cost to the City SW 30<sup>th</sup> Terrace between SW 62<sup>nd</sup> Boulevard extension and SW 42<sup>nd</sup> Street consistent with Attachments 'I' and 'II'.
- h. The ten (10) feet of additional lands to be dedicated as right-of-way adjacent to, running parallel with and on the eastern side of Southwest 62<sup>nd</sup> Boulevard extension (Currently SW 37<sup>th</sup> Boulevard) from Archer Road to Windmeadows Boulevard will be dedicated to

the City upon final development plan approval for redevelopment of all parcels immediately fronting the eastern side of the SW 62<sup>nd</sup> Boulevard extension (Currently SW 37<sup>th</sup> Boulevard). The value of the right-of-way shall be established by appraisal as of the date of application for final development plan review for redevelopment in Subarea 4. The owner shall obtain the appraisal, at its sole expense, and shall provide a copy to the City for its review and approval. If the appraisal is approved by the City, the appraised value shall count toward meeting the transportation mobility program requirements in effect at the time of development plan approval of the redevelopment. The credit for transportation mobility program requirements shall not be given until the dedication occurs.

- i. The ten (10) feet of additional lands to be dedicated as right-of-way adjacent to, running parallel with and on the western side of Southwest 62<sup>nd</sup> Boulevard extension (Currently SW 37<sup>th</sup> Boulevard) from Archer Road to Windmeadows Boulevard shall be dedicated to the City upon final development plan approval for redevelopment of all parcels immediately fronting the western side of the SW 62<sup>nd</sup> Boulevard extension (Currently SW 37<sup>th</sup> Boulevard). The value of the right-of-way shall be established by appraisal as of the date of application for final development plan review for redevelopment of the parcels immediately fronting the western side of SW 62<sup>nd</sup> Boulevard extension (Currently SW 37<sup>th</sup> Boulevard). The owner shall obtain the appraisal, at its sole expense, and shall provide a copy to the City for its review and approval. If the appraisal is approved by the City, the appraised value shall count toward meeting the transportation mobility program requirements in effect at the time of development plan approval of the redevelopment. The credit for transportation mobility program requirements shall not be given until the dedication occurs.
- j. At the time of development plan review within Subarea 2, at least one direct vehicular access shall be coordinated with the Windmeadows Apartments development to the east. At a minimum, locations for access shall be designated to allow for the future establishment of vehicular access at the time when the Windmeadows property owner is willing to allow for such connections or the Windmeadows property is redeveloped.
- k. At the time of the development plan review on the adjacent property within Subarea 1, the possibility shall be explored for a vehicular connection to SW 29<sup>th</sup> Avenue to the west. At a minimum, locations for access shall be designated to allow for future establishment of vehicular access at the time when the property owners to the west are willing to allow for such connections or the properties to the west are redeveloped.
- l. With the first development plan review for the removal and replacement of 50,000 square feet of building area in Subarea 3, the Developer shall construct sidewalks connecting the PD's eastern boundary to the PD's western boundary along at least one side of Windmeadows Boulevard.
- m. With the first development plan review for the removal and replacement of 50,000 square feet of building area in Subarea 3, the Developer shall construct at least one mid-block textured pedestrian crosswalk (with curb ramps) across Windmeadows Boulevard. The design and location of this crosswalk shall be determined by the City Planning and Public Works Departments during development plan review.
- ~~n. When the cumulative net, new average daily trip generation threshold reaches 9,775 trips based on the latest edition of the ITE Trip Generation Manual at that time, the Developer shall commence an Interchange Modification Report (IMR) for the Archer~~

~~Rd/I-75 interchange, consistent with Florida Department of Transportation IMR typical procedures. The IMR shall be completed within 18 months from when it is commenced.~~

- n. Development plans within the PD that affect bus transportation routes shall be reviewed by RTS to evaluate the requirements for the Developer to construct new transit stops or improvements to existing transit stops. The location of transit stops shall be convenient and highly visible. The transit stops shall be designed with amenities such as, but not limited to shelter, lighting, seating, trash receptacles and bicycle racks. The cost of any new transit stops or improvements to existing transit stops shall be creditable toward the transit proportionate fair share, required per the TCEA Zone M Agreement executed on January 3, 2012 (as modified by the Addendum executed on November 29, 2012). Adequate notification shall be provided to RTS prior to any work on public or private streets that will require route detours. New streets shall be designed in order to accommodate both a standard 40-foot long bus and a 60-foot long articulated bus.
- o. During the period between the start of roadway construction on the public roads and final acceptance of the public roadways by the City, including the conveyance of the associated rights-of-way, the Developer shall be responsible for the maintenance and safe operation of the roadway facilities and directly associated lands. In order for the City to give final acceptance of the constructed roadway facilities and acceptance of the associated right-of-way, the Developer shall provide to the City a maintenance surety consistent with Sec. 30-186(f) of the Land Development Code (as that Section may be amended or renumbered from time to time).

## Enumeration of Differences (LDC §30-214(3)c.2.(vii))

Table 7: Enumeration of Differences

Use	Current	Proposed	Net Difference
Commercial	2,500,408 square feet	2,500,408 square feet	No change
Office	250,000 square feet	250,000 square feet	No change
Hotel/Motel	500 rooms	500 rooms	No change
Multi-family	1,000 units	1,000 units	No change

## PD Objectives (LDC §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.

**Response:** PD Design Standards are incorporated into the PD Report, with additional standards to be included as exhibits to the PD Ordinance (see Table 6, the Town Center development standards contained herein). In general, all subareas within the PD will include vehicular, multi-modal, bicycle, and pedestrian interconnectivity. Further, the PD will incorporate sidewalks and a multi-use path connecting to the Archer Braid Trail to promote non-motorized and pedestrian travel.

2. Provide flexibility to meet changing needs, technologies, economics and consumer preferences.

**Response:** In order to promote compatibility of uses and good urban form, the PD is divided into four (4) Subareas. Each Subarea has development standards. In order to allow for flexibility, incorporated into the PD is a *Land Use Exchange Matrix* (Table 3). This table adds flexibility, allowing the PD to respond to changing needs, technologies, economics, and other market conditions. Equally, this table also ensures that the Butler PD is developed with a mix of uses.

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

**Response:** The PD will include a system of pedestrian paths, sidewalks, and multi-use paths throughout the development. Pedestrian paths shall be incorporated into the stormwater management areas and the active park area on the north side of the PD, and shall also run from the intersection of SW 62<sup>nd</sup> Boulevard and SW 24<sup>th</sup> Avenue to the easternmost extent of the PD. Roadways, as illustrated by Attachment 'I', will be designed with features otherwise not required by the LDC.

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.

**Response:** The northern half (Subareas 1 and 2), although relatively large, is essentially an infill and redevelopment project and an extension of the existing Butler Plaza development (Subareas 3 and 4). The roadway and utility frameworks exist along the peripheries of the PD's undeveloped portions. Consequently, there are lower roadway and utility costs associated with interconnecting services within the PD's undeveloped portions than if the site was located outside of Alachua County's urban services boundary.

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

**Response:** The PD functions as a single, master-planned development. The existing TCEA agreement requires that a substantial amount of infrastructure be built in concert with the first phase of development. Design and construction of the utilities and master stormwater facilities coincides with roadway design and construction. Because of this master planning, the inefficiencies of piecemeal development, that would otherwise occur, are avoided.

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

**Response:** Table 6 identifies development standards, including maximum building footprints, maximum building heights, and minimum glazing standards, etc. by subarea. Additionally, there are specific design standards for Town Center development.

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.

**Response:** The PD will include a system of pedestrian paths, sidewalks, and multi-use paths throughout the development. Pedestrian paths shall be incorporated into the stormwater management areas, and shall also run from the intersection of SW 62<sup>nd</sup> Boulevard and SW 24<sup>th</sup> Avenue to the easternmost extent of the PD. Roadways, as illustrated by Attachment 'I', will be designed with features otherwise not required by the LDC.

### **Minimum Criteria for Rezoning to PD (LDC §30-213)**

This PD satisfies the minimum requirements for a PD Rezoning as set forth in LDC s. 30-213, with specific reference to s. 30-213(1) below:

1. *Unique and promoted by Comprehensive plan. The proposed development is unique. Although it does not fit within an existing zoning district, it is consistent with the city Comprehensive Plan, except it may require a land use change. Other options available under the existing zoning district(s) in the city land development code would not allow the use and associated design elements of the proposed project.*

**Response:** The proposed development is unique in that it is simultaneously new development and redevelopment. The northern ½ of the development is essentially undeveloped. The southern ½ is existing commercial development. Further, the southeastern Subarea 3 is proposed for a Town Center, requiring the razing of a substantial portion of the existing commercial development. The fundamental challenges are:

1. Creating a seamless transition between the developed and undeveloped subareas;
2. Including development parameters and provisions to ensure a unified aesthetic; and
3. Offer flexibility in development without sacrificing internal and external compatibility.

Neither the LDC nor the Comprehensive Plan includes general provisions necessary to meet the aforementioned challenges. Therefore, both a Planned Use District (PUD) Future Land Use (FLU) category and Planned Development (PD) Zoning district are necessary. As with the relationship between generalized FLU categories and Zoning districts, the PD district standards are consistent with the companion PUD in which it is located.

## **Requirements & Evaluation of Planned Development (LDC §30-216)**

### **(1) Conformance**

#### **A. Conformance with PD Objectives**

This PD is consistent with the PD Objectives set forth in the City of Gainesville Land Development Code. Please refer to Section 30-211(b)(1-7), PD Objectives for more detailed information on how this application conforms with the PD Objectives.

#### **B. Consistency with the Comprehensive Plan**

This PD is consistent with the Comprehensive Plan, with particular emphasis on the following Objectives and Policies:

#### ***Concurrency Management Element***

Objective 1.1: The City establishes the Gainesville Transportation Concurrency Exception Area (TCEA) with sub-areas designated Zone A, B, C, D, E and M as shown in Map 1.

**Response:** The developer has entered into a TCEA agreement for the first 134,784 square feet of development. Subsequent TCEA agreements (or multimodal agreements if adopted) will be entered into as development proceeds.

#### ***Future Land Use Element***

- Policy 1.1.2: To the extent possible, neighborhoods should be sized so that housing, jobs, daily needs and other activities are within easy walking distance of each other.
- Policy 1.2.3 The City should encourage mixed-use development, where appropriate.
- Policy 1.2.12: The Transportation Concurrency Exception Area (TCEA) shall be designated on the Future Land Use Map Series. All development within the TCEA shall meet the standards set in the Concurrency Management Element. Transportation concurrency exceptions granted within the TCEA shall not relieve UF from meeting the requirements of 240.155 F.S. and the levels of service established for streets within the UF transportation impact area.
- Policy 1.4.3 Mixed-use development should emphasis transit design and compatible scale – compatible scale especially when facing each other.

**Response: The PD has mandates for walkability and pedestrian-scale development and building orientation. The PD is a large mixed-use development that will allow the creation of a substantial number of full- and part-time jobs. The mix of uses will serve both the day to day needs of the surrounding development while also serving Gainesville, Alachua County, and adjacent communities. Existing transit and TCEA agreements ensure that public transportation is an integral component of the PD.**

#### ***Transportation Mobility Element***

- Policy 1.1.12 New development will be encouraged to provide non-motorized vehicle and non-street connections to nearby land uses such as schools, parks, retail, office, and residential when feasible.
- Policy 2.1.7 Development and redevelopment projects shall be encouraged to provide bicycle and pedestrian access to adjacent properties.
- Policy 3.1.4 The City shall acquire additional buses to accommodate expanded services and increased ridership.
- Policy 4.1.1 The City shall strive to provide an interconnected bicycle system with a route to every major destination in the City.
- Policy 5.1.2 The City shall extend the Trail Network by cooperating with Alachua County in County efforts to expand the Network—both for corridor acquisition and trail construction—particularly for extensions of the Waldo Rail-Trail, the Gainesville-Hawthorne Rail-Trail, and the Archer Road corridor.
- Policy 7.1.5 The City shall use the Transportation Concurrency Exception Area as shown in the Transportation Mobility Element map series to encourage redevelopment within the city, and to promote transportation choices.

**Response: The PD has mandates for walkability and pedestrian-scale development and building orientation. Existing transit and TCEA agreements ensure that adequate public transportation is an integral part of the PD. The PD Layout Map identifies an extension of**

the Archer Braid Trail being designed, constructed, and dedicated at the owner's/developer's expense. This provision is enforced by conditions of the PD Ordinance. Buttrressing the Archer Braid Trail requirement is the provision that the overall development be designed with bicycle and pedestrian interconnectivity.

(2) Concurrency

**Response:** There are no additional entitlements being sought in excess of the currently approved development. Therefore, the net impact is zero.

(3) Internal Compatibility

**Response:** The PD obtains internal compatibility through a common plan for development, development standards, unified signage requirements, and common roadway design standards. Architectural controls will be a fundamental part of the development.

(4) External Compatibility

A. Compatible Uses

**Response:** The PD brings a variety of uses to the Archer Road/SW 34<sup>th</sup> Street commercial corridor. The specialty retailers, general commercial, office, hotel, and residential target are tied together by a common plan for development.

B. Development Design

**Response:** The ±267.2-acre site consists of a horizontal and, potentially, vertical mixed-use development tied together by a unified development plan. PD provisions ensure that the development is internally compatible and not fragmented nor fractured. PD development standards are previously identified and referenced throughout this report.

C. Traffic Circulation

**Response:** The development's arterial and collector roads will connect a system of internal private and/or public local streets and maneuvering lanes. Consistency in street network design is achieved through adopted standards. SW 62<sup>nd</sup> Boulevard will be extended at the developer's expense from the development's western boundary to what is currently SW 37<sup>th</sup> Boulevard, and designed to include the Metropolitan Transportation Planning Organization's design elements.

D. Density and Intensity

**Response:** The PD is designed to allow for and promote transit supportive levels of residential and nonresidential development. The City is desirous for the inclusion of a transit transfer station within the development to help mitigate transit and transportation impacts. The developer has executed an *Agreement to Construct Transit Transfer Station and Park-and-Ride Lot*, which will again be adopted prior to adoption of the Ordinance in order to satisfy and maintain this requirement.

The PD contains setback requirements from non-PD adjoining property lines. These setbacks ensure that development is appropriately buffered from these properties, while also providing interconnectivity. Further, design parameters and standards ensure that development is sympathetic to and compatible with contiguous commercial and residential, non-PD lands within this commercial center.

(5) Intensity of Development

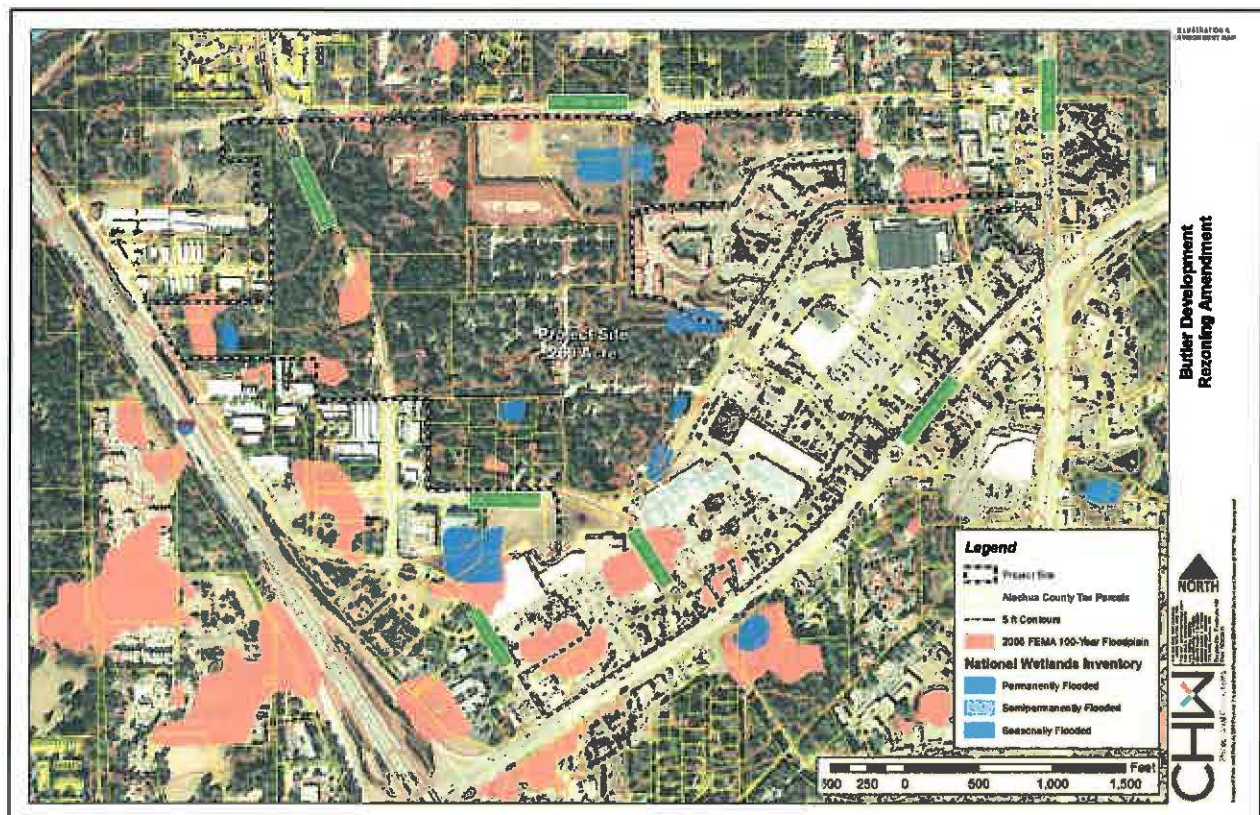
**Response:** As previously stated, the PD is designed to allow transit supportive levels of residential and nonresidential development while not resulting in an increase in previously approved entitlements (see Table 7).

(6) Usable Open Spaces, Plazas, and Recreation Areas

**Response:** The PD contains open space requirements that are more fully articulated in Table 6 as well as specific requirements for usable open space, multi-use paths, etc.

(7) Environmental Constraints

**Response:** The PD will be developed in accordance with wetland and floodplain regulations and permitting requirements as may be required by the Florida Department of Environmental Protections (FDEP), the St. Johns River Water Management District (SJRWMD), the Army Corps of Engineers (ACOE), and the City of Gainesville. To that end, redevelopment in Subareas 3 and 4 will occur on existing impervious surface. Subareas 1 and 2 have sufficient areas of uplands to accommodate urban-scale development.



Map of Project Site 239 Acres showing various land use designations and zoning boundaries. The map includes a legend with categories like 'Project Site', 'Zoning Districts', 'Slopes', and 'Water Features'. A scale bar at the bottom indicates distances from 0 to 1,500 feet. The map is titled 'Project Site 239 Acres' and shows various zoning districts such as 'R-1', 'R-2', 'R-3', 'R-4', 'R-5', 'R-6', 'R-7', 'R-8', 'R-9', 'R-10', 'R-11', 'R-12', 'R-13', 'R-14', 'R-15', 'R-16', 'R-17', 'R-18', 'R-19', 'R-20', 'R-21', 'R-22', 'R-23', 'R-24', 'R-25', 'R-26', 'R-27', 'R-28', 'R-29', 'R-30', 'R-31', 'R-32', 'R-33', 'R-34', 'R-35', 'R-36', 'R-37', 'R-38', 'R-39', 'R-40', 'R-41', 'R-42', 'R-43', 'R-44', 'R-45', 'R-46', 'R-47', 'R-48', 'R-49', 'R-50', 'R-51', 'R-52', 'R-53', 'R-54', 'R-55', 'R-56', 'R-57', 'R-58', 'R-59', 'R-60', 'R-61', 'R-62', 'R-63', 'R-64', 'R-65', 'R-66', 'R-67', 'R-68', 'R-69', 'R-70', 'R-71', 'R-72', 'R-73', 'R-74', 'R-75', 'R-76', 'R-77', 'R-78', 'R-79', 'R-80', 'R-81', 'R-82', 'R-83', 'R-84', 'R-85', 'R-86', 'R-87', 'R-88', 'R-89', 'R-90', 'R-91', 'R-92', 'R-93', 'R-94', 'R-95', 'R-96', 'R-97', 'R-98', 'R-99', 'R-100'.

**(8) External Transportation Access**

**(9) Internal Transportation Access**

**(10) Provision for the Range of Transportation Choices**

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**Unified Control (LDC §30-217)**

All property owners within the PD have authorized the change of zoning from PD to PD. Documentation of such has been provided to the City. Additional materials, if deemed necessary to document unified control, will be provided if and when requested.

**Phasing (LDC §30-218)**

The PD does not include time sensitive phasing requirements. Rather, "phasing" is achieved through the existing TCEA Agreement signed by the developer and on file with the City. Conceptually, "phase 1A" is the construction of infrastructure and the first 134,784 square feet of vertical development. A new TCEA Agreement (or multimodal agreement if adopted) will be required for development beyond 134,784 square feet.

**Development Time Limits (LDC §30-219)**

There are no time limits being requested. For individual site development or platting, the standard City time limitations will apply.