



Legislation Details (With Text)

**File #:** 120616.      **Version:** 2      **Name:**  
**Type:** Ordinance      **Status:** Adoption Reading  
**File created:** 12/4/2012      **In control:** City Commission  
**On agenda:** 5/2/2013      **Final action:** 6/20/2013  
**Title:** PLANNED USE DISTRICT AMENDMENT - UNIVERSITY CORNERS (B)

Ordinance No. 120616; Petition PB-12-124 PUD  
 An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map and the Future Land Use Element of the Comprehensive Plan by overlaying the land use category of "Planned Use District" on certain property with the underlying land use categories of "Mixed-Use Low-Intensity and Mixed-Use Residential" known as "University Corners" generally located between West University Avenue on the South, Northwest 3rd Avenue on the North, Northwest 13th Street (US 441) on the East, and Northwest 14th Street on the West, as more specifically described in this ordinance; providing development conditions; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 120616A\_staff report\_20130103.pdf, 2. 120616B\_Comp Plan GOPs\_201300103.pdf, 3. 120616C\_Application Neighborhood info\_20130103.pdf, 4. 120616D\_Proposed revisions to PUD Ordinance\_20130103.pdf, 5. 120616E\_staff ppt\_20130103.pdf, 6. 120616F\_CPB minutes\_20130103.pdf, 7. 120616\_MOD University Corners Presentation\_20130103.pdf, 8. 120616A\_draft ordinance\_20130502.pdf, 9. 120616A\_mod\_draft ordinance\_20130502.pdf, 10. 120616 and 120615\_MODpresentation20130502.pdf, 11. 120616\_and\_120615\_mod\_ppt\_20120620.pdf, 12. 120616\_ORDINANCE\_20130620.pdf

Date	Ver.	Action By	Action	Result
6/20/2013	2	City Commission	Adopted (Ordinance) on Adoption Reading	Pass
5/2/2013	2	City Commission	Continued	Pass
1/3/2013	1	City Commission	Approved (Petition)	Pass

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The City Commission adopt the proposed ordinance.

## PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance amends the Planned Use District (PUD) land use overlay and implementing land use regulations for certain property known as "University Corners." An associated Planned Development (PD) zoning ordinance (Ordinance No. 120615) is also on this agenda. The subject property totals approximately 4.4 acres and is located between West University Avenue and Northwest 3rd Avenue and between Northwest 13th Street (US 441) and Northwest 14th Street.

On May 9, 2005, the City Commission adopted Ordinance No. 040656, which originally overlaid PUD land use with certain implementing land use regulations on the subject property. Subsequently, on May 14, 2007, the City Commission adopted Ordinance No. 060733, which amended the subject property's PUD land use overlay and implementing land use regulations. The recently constructed University United Methodist Church (Petition 78SPL-05DB) was an approved use and considered a phase of development within the original PUD and PD, and remains a part of this PUD ordinance and associated PD ordinance.

This PUD ordinance makes several substantive changes to the subject property's PUD land use overlay and implementing land use regulations, as follows:

- Remove the allowance for an underground parking structure.
- Increase the maximum allowed building square footage from 665,000 to 950,000.
- Increase the maximum square footage for the parking structure from 350,000 to 380,000.
- Increase the maximum number of residential units from 490 to 500.
- Specify that no more than 250 hotel rooms are allowed.
- Increase the required usable open space from 31% of the site area to at least 80,000 square feet.
- Increase the maximum number of building stories from 8 to 10, and the maximum building height from 95 feet to 110 feet.
- Increase the maximum height of the parking garage from 95 feet to 110 feet. (Note: The corresponding petition that the City Commission approved on January 3, 2013, also included an amendment to increase the number of stories for the parking garage from 9 to 10; however, subsequent to petition approval, the applicant has requested that the provisions regarding parking garage stories be removed to allow the potential to develop the parking garage with 11 stories while maintaining a maximum height of 110 feet.)
- Remove the requirement for remediation of onsite contamination, since this occurred with the construction of the first phase.
- Remove the prohibition on commercial uses fronting either Northwest 14th Street or Northwest 3rd Avenue.
- Specify that any development on site shall meet all relevant transportation mobility policies as provided in the City's Comprehensive Plan.

The PUD land use category is an overlay that was created to allow the consideration of unique, innovative or narrowly construed land use proposals that are specifically found to be compatible with the character of the surrounding land uses. Staff finds that this request meets the criteria for approval of a land use amendment: consistency with the Comprehensive Plan; compatibility with surrounding land uses; environmental impacts and constraints; support for urban infill and/or redevelopment; impacts on affordable housing; impacts on the transportation system; availability of facilities and services; and need for the additional acreage in the proposed future land use category.

After public notice was published in the Gainesville Sun on November 15, 2012, the City Plan Board held a public hearing on December 3, 2012, and by a vote of 6-0, recommended approval of the petition with staff

conditions and a revision to include the adjacent church. After public notice was published in the Gainesville Sun on December 18, 2012, the City Commission held a public hearing on January 3, 2013, and approved the petition by a vote of 6-0.

#### CITY ATTORNEY MEMORANDUM

This proposed amendment to the Comprehensive Plan is treated as a small-scale development amendment. Within 30 days following the City's adoption of this amendment, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of this amendment with Chapter 163, Florida Statutes.

If challenged within 30 days after adoption, this amendment shall not become effective until the state land planning agency or the Administration Commission issues a final order determining that the adopted amendment is in compliance with Chapter 163, Florida Statutes. If unchallenged, this amendment shall become effective 31 days after adoption.