

LEGISLATIVE #

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WHEREAS, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a Comprehensive Plan to guide the future development and growth of the city; and

WHEREAS, the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or amend and enforce land development regulations that are consistent with and implement the Comprehensive Plan and that are combined and compiled into a single land development code for the city; and

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28 **WHEREAS**, Planned Development District (PD) zoning is a zoning category that allows for
29 landowners or developers to submit unique proposals that are not addressed or otherwise
30 provided for in the zoning districts and land development regulations established by the City of
31 Gainesville Land Development Code; and

32 **WHEREAS**, on March 27, 2006, the City Commission adopted Ordinance No. 050487, which
33 rezoned to Planned Development District (PD) the property that is the subject of this
34 ordinance; and

35 **WHEREAS**, this ordinance, which was requested by the owner(s) of the property that is the
36 subject of this ordinance and which was noticed as required by law, will amend Ordinance No.
37 050487 and the Planned Development District (PD) zoning applicable to the subject property;
38 and

39 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
40 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
41 pursuant to Section 163.3174, Florida Statutes, held a public hearing on April 28, 2022, and
42 voted to recommend that the City Commission approve this PD zoning ordinance; and

43 **WHEREAS**, an advertisement no less than two columns wide by ten inches long was placed in a
44 newspaper of general circulation and provided the public with at least seven days' advance
45 notice of this ordinance's first public hearing to be held by the City Commission; and

46 **WHEREAS**, a second advertisement no less than two columns wide by ten inches long was
47 placed in the aforesaid newspaper and provided the public with at least five days' advance
48 notice of this ordinance's second public hearing to be held by the City Commission; and

49 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings

the parties in interest and all others had an opportunity to be and were, in fact, heard; and

WHEREAS, the City Commission finds that the rezoning of the subject property is consistent with the City of Gainesville Comprehensive Plan.

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

SECTION 1. Section 4 of Ordinance No. 050487 is amended as follows. Except as amended by this ordinance, the remaining provisions of Section 4 of Ordinance No. 050487 remain in full force and effect.

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

1. Except as expressly provided in this ordinance, the Planned Development shall be governed as if it were zoned BUS (General business district).

2. The permitted uses are ~~only~~ those uses permitted by right within the BUS: General business district, and also including mini-warehouses, self-storage as a permitted use by right in the development.

~~11. The owner/developer shall construct a bus shelter that is architecturally compatible with the building constructed on the subject property. The bus shelter shall be placed on or off site in a location that is accessible to the existing City bus stop within the Northwest 23rd Terrace right of way. In either case, the bus shelter shall be subject to the review and approval of the City's Director of the Regional Transit System. Construction of the bus shelter shall be completed prior to the issuance of any Certificate of Occupancy for any building on the subject property.~~

SECTION 2. Exhibit B to Ordinance No. 050487, titled "Shoppes at Pinewood Planned Development Report," is amended as follows. Except as amended by this ordinance, the remaining provisions of Exhibit B to Ordinance No. 050487 remain in full force and effect.

B. Compliance with Zoning Objectives, Goals & Policies of Comprehensive Plan and Future Land Use Map.

81 3. Zoning Objectives & Justification for Rezoning

82 Some of the proposed uses allowed within the PD are as follows:

83 Eating places, Outdoor café, Places of religious assembly, Veterinary services, Repair
84 service for household needs, Printing, publishing and related services, U.S. Postal
85 service, Communications, Paint, glass and wallpaper stores, Hardware stores, Retail
86 nurseries, lawn & garden supply stores, General merchandise stores, Food stores, Auto
87 and home supply stores, General merchandise stores, Food stores, Auto and home
88 supply stores, Apparel and accessory stores, Home furniture, furnishings and
89 equipment stores, Carpet, tile and floor coverings stores, Miscellaneous retail, Finance,
90 insurance and real estate services, Retail banking services, Personal services, Business
91 services, Miscellaneous services, Motion pictures, Amusement and recreation services,
92 Sporting goods stores and bicycle shops, Health services, Legal services, Educational
93 services, Social services, Museums and art galleries, Membership organizations,
94 Engineering, accounting, research, management and related services, Alcoholic
95 beverage establishments, associated drive-through facilities, mini-warehouse/self-
96 storage facility, and accessory uses customarily incidental to a permitted principal use.

97
98 C. Statistical Information

- 99 1. Total Site acreage: 5.28 ac +/- (229, 945 SF +/-)
100 2. Maximum Building Area: ~~20% of Total Site Area~~ 90, 000 46,000 SF
101 3. Maximum Impervious Ground Coverage: 60% of Total Site Area (138,000 SF)
102 4. Minimum open space: 40% of the Total Site Area
103 5. Land Uses Allowed: All uses listed ~~on page 3 above~~ and uses allowed in the BUS zoning
104 district, and mini-warehouse/self-storage use
105 6. Building Area Allowable: 90,000 46,000 SF
106 7. Use Areas:
107 a. Building ~~Area~~ Footprint: no greater than 46,000 SF (1.06 ac)
108 (Based on Building Area definition per City Planning)
109 b. Parking & Sidewalk Area: 92,000 SF (2.11 ac).
110 8. Publicly owned usable open space, recreational area, and plazas: 0.0 ac.
111 9. Common area usable open space, recreational area, and plazas (Minimum area): 0% of
112 mixed use area (0 SF)

113
114 E. Design Standards for Off-Street Parking and Loading Facilities

- 115 1. Parking Required: Per City of Gainesville Land Development Code
116 2. Bicycle Parking: Per City of Gainesville Land Development Code
117 3. The minimum number of parking spaces required to be provided onsite is 1 space per
118 250 SF of Leasable Floor Area of building constructed, except that for the mini-
119 warehouse/self-storage use the parking standard shall be 5, or 1 for manager's area(s),
120 plus 1 per 200 bays, whichever is greater.
121 4. The minimum number of bicycle parking spaces provided shall be 10% of the required
122 vehicle parking.

- 123 5. Onsite parking spaces shall meet the dimensional requirement of the City of Gainesville
124 Land Development Code.
125 6. Onsite parking spaces may consist of a maximum of 25% compact spaces.
126 7. Onsite parking areas shall provide the required handicap accessibility spaces in
127 accordance with the State of Florida handicap accessibility code.
128 8. Loading spaces shall be provided as required in the City of Gainesville Land
129 Development Code.
130 9. Curbing is required around all landscape islands.
131 10. All pedestrian walkway curb cuts shall be handicap accessible.
132

133 **SECTION 3.** The City Manager or designee is authorized and directed to make the necessary
134 changes to the Zoning Map Atlas to comply with this ordinance.

135 **SECTION 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
136 the application hereof to any person or circumstance is held invalid or unconstitutional, such
137 finding will not affect the other provisions or applications of this ordinance that can be given
138 effect without the invalid or unconstitutional provision or application, and to this end the
139 provisions of this ordinance are declared severable.

140 **SECTION 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of
141 such conflict hereby repealed.

142 **SECTION 6.** This ordinance will become effective immediately upon adoption.

143 **PASSED AND ADOPTED** this _____ day of _____, 2022.

144
145
146 _____
147 LAUREN POE
148 MAYOR

149 Attest:

Approved as to form and legality:

150
151 _____
152 OMICHELE D. GAINNEY
153 CITY CLERK

151 _____
152 DANIEL M. NEE
153 INTERIM CITY ATTORNEY

155 This ordinance passed on first reading this _____ day of _____, 2022.

156 This ordinance passed on second reading this _____ day of _____, 2022.