



City of Gainesville  
Department of Sustainable Development  
Planning Division

PO Box 490, Station 11  
Gainesville, FL 32627-0490  
306 NE 6<sup>th</sup> Avenue  
P: (352) 334-5022  
F: (352) 334-2648

## CITY PLAN BOARD STAFF REPORT

**PUBLIC HEARING DATE:** September 22, 2022

**PROJECT NAME AND NUMBER:** LD22-106 ZON / Gainesville 121

**APPLICATION TYPE:** Rezoning (Quasi-Judicial)

**RECOMMENDATION:** Approve

**CITY PROJECT CONTACT:** Brittany McMullen, Planner IV

Forrest Eddleton, Acting Director

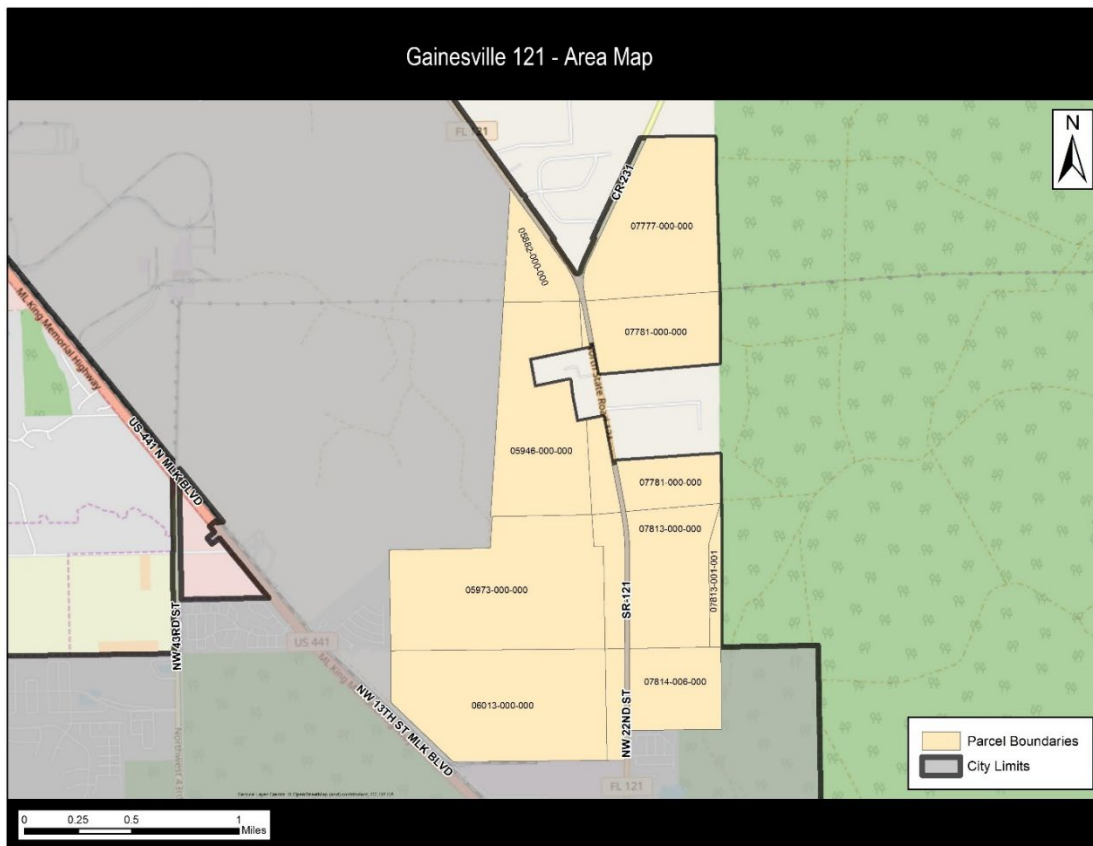


Figure 1: Location Map

**APPLICATION INFORMATION:**

**Agent/Applicant:** eda consultants, inc.  
**Property Owner(s):** Weyerhaeuser NR Company  
**Related Petition(s):** LD-22-105 LUC & LD-22-107 CPA

**SITE INFORMATION:**

**Address:** None, North State Road 121  
**Parcel Number(s):** 07814-006-000, 06013-000-000, 05973-000-000, 07813-000-000, 07813-001-001, 07781-000-000, 05946-000-000, 07781-000-000, 07777-000-000, 05882-000-000  
**Acreage:** ± 744  
**Existing Use(s):** Silviculture  
**Land Use Designation(s):** Single Family-Residential (SF) & Residential Low (RL)  
**Zoning Designation(s):** Alachua County Agriculture (A)  
**Overlay District(s):** Hague Flatwoods Strategic Ecosystem and Buck Bay Flatwoods Strategic Ecosystem  
**Transportation Mobility Program Area (TMPA):** Zone E  
**Water Management District:** St. Johns River Water Management District  
**Special Feature(s):** Wetlands, Special Flood Hazard Areas  
**Annexed:** 1992, 2007

**ADJACENT PROPERTY CHARACTERISTICS:**

	Existing Use(s)	Future Land Use Category	Zoning District
North	Single-family residential, Silviculture, Undeveloped lands including wetlands	Alachua County Rural/Agriculture	Alachua County Agricultural
South	Single-family residential, Industrial, Silviculture, Undeveloped lands including wetlands	Residential Low-Density, Agriculture, Industrial	Planned Development, Agriculture, General Industrial
East	Silviculture, Undeveloped lands including wetlands	Alachua County Rural/Agricultural, Preservation	Agricultural
West	Deerhaven Generating Station, Mobile home park, Conservation, Warehouse, Wetlands	Public and Institutional Facilities, Conservation, Residential Low-Intensity	Public Services and Operations, Mobile Home, Conservation

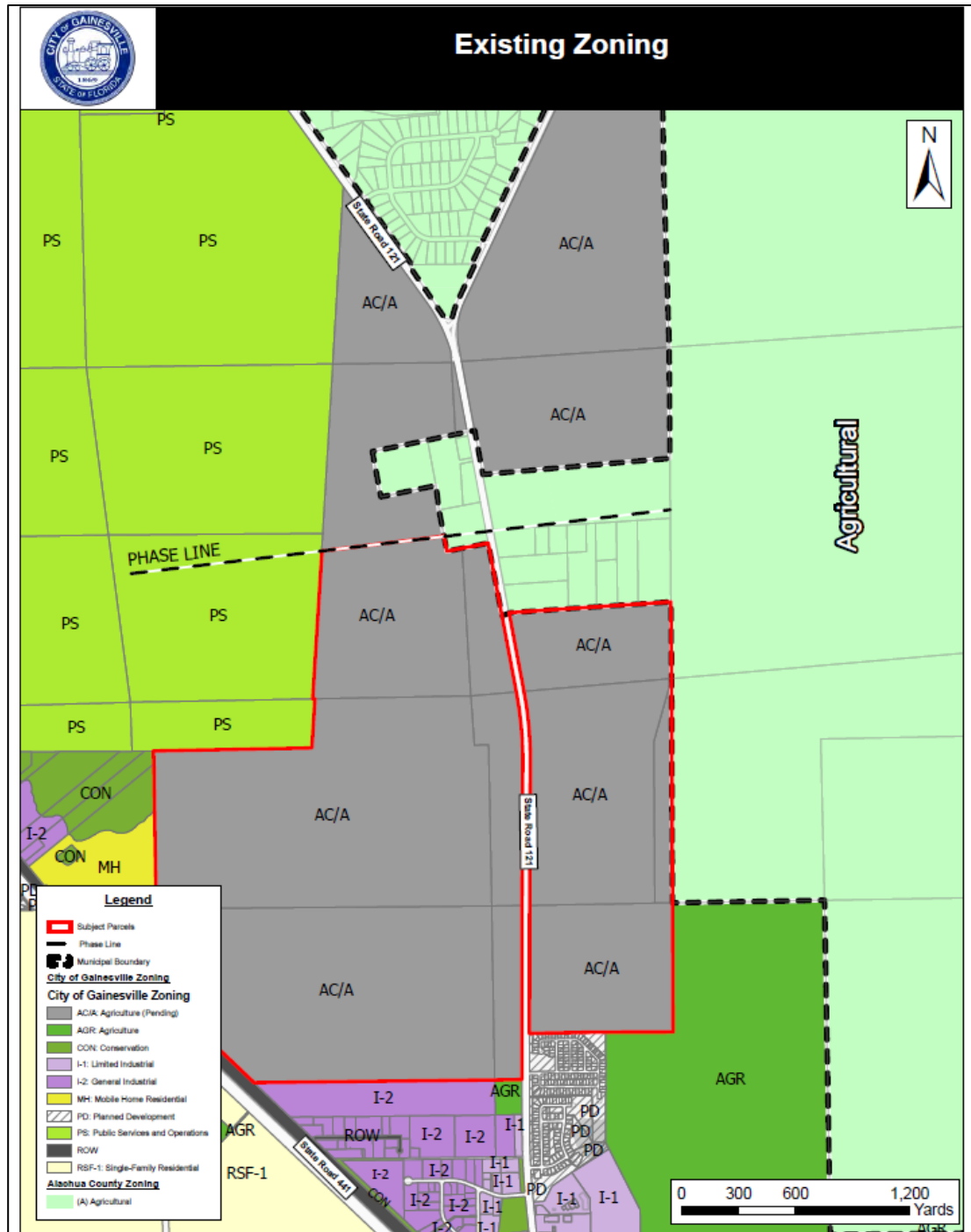


Figure 2: Subject Property and Adjacent Zoning Districts

## **PURPOSE AND DESCRIPTION:**

### **Brief History**

The subject application proposes to rezone approximately 744 acres of property located north of U.S. 441 and both east and west of SR 121 from Alachua County Agriculture (A) district to City of Gainesville Planned Development District (PD).

The southernmost portion (approximately 460 acres) of the property owned by the applicant was annexed in 1992, and the remaining property (approximately 1319 acres) was annexed in 2007. At the time of annexation the property had a future land use designation of Alachua County Rural/Agricultural and a zoning designation of Alachua County Agriculture.

In 2009, the City adopted Ordinance No. 070447 and assigned the following four City land use designations with conditions to specified portions of the total property: 1) Planned Use District (PUD) overlay, with an underlying land use designation of City Agriculture); 2) Single-Family; 3) Residential Low-Density; and 4) Conservation. This 2009 ordinance included a requirement that the property that is the subject of this application, which is a portion that makes up approximately 744 acres of the total property, be assigned City Planned Development (PD) zoning.

In 2017, the property owner submitted to the City a rezoning application to rezone the approximately 744-acre subject property in accordance with the City's 2009 land use Ordinance No. 070447. On December 5, 2019, the City Commission held a quasi-judicial hearing and voted to deny the rezoning application, citing concerns about silvicultural activity near wetlands and an insufficient development density and intensity pattern that encouraged lower density and spread out development.

### **Proposed Change**

The subject application proposes to place a Planned Development (PD) zoning on the property which will implement the land use designations of PUD and Mixed-Use Office/Residential (MOR) and the related Comprehensive Plan policy (and sub-policies) that apply to the property. The property is subject to a related Comprehensive Plan and Future Land Use amendment request (LD22-105 LUC and LD22-107 CPA). This proposal aims to address concerns expressed of the prior application by promoting denser and clustered development to establish an efficient and non-sprawling land use pattern that protects wetlands and environmentally-sensitive areas. The current proposal sets aside 68% of the property from development, and a substantial part of that is to be managed through a stringent Conservation Management Plan with applicable areas preserved in Conservation Easements. The development will also require the concurrent development of affordable housing together with market-rate units, the installation of community gardens allocated for each unit, and a low-impact-design (LID) with clustering, maximization of pervious surfaces, narrowed streets, and reuse of stormwater.

The Planned Development zoning area consists of four distinct districts: Mixed-Use Central, Mixed Residential, Conservation Management, and Utility Easement (see Figure 3: PD Layout Plan below).

Tables 1, 2 and 3 below detail the size of each district, the proposed development intensity for each district, and the maximum allowable development intensity.

**Table 1: Future Land Use Acreage Within Gainesville 121 PD Zoning District**

FLU	Gainesville 121 PD Districts				
	TOTAL ACRES	Mixed-Use Central	Mixed Residential	Conservation Management	Utility Easement
PUD	166.9	121.8	0	45.1	0
MOR	577.0	0	272.7	300.7	3.6
<b>TOTAL</b>	<b>743.9</b>	<b>121.8</b>	<b>272.7</b>	<b>345.8</b>	<b>3.6</b>

**Table 2: PD Data Table**

District	Acreage	Percentage
Mixed-Use Central District	121.8 acres	16.4%±
Mixed Residential District	272.7 acres	36.6%±
Conservation Management District	345.8 acres	46.5%±
Utility Easement District	3.6 acres	.5%±
<b>Total PD Land Area</b>	<b>743.9 acres</b>	<b>100%</b>

**Table 3: Development Program**

Gainesville 121 PD	TOTAL Acres in PD Rezoning	% of Total Acres	Minimum Development		Maximum Development	
			Residential Units	Non-Residential <sup>8</sup> SF <sup>2</sup>	Residential Density	Non-Residential <sup>1</sup> Intensity <sup>3</sup>
Mixed-Use Central	121.8	16.4%	668	15,000	20 du/ac	See footnote 3
Mixed Residential	272.7	36.6%	0	0	20 du/ac	See footnote 3
Conservation Management	345.8	46.5%	0	0	0 du/ac	N/A
Utility Easement	3.6	0.5%	0	0	0 du/ac	N/A
<b>Total</b>	<b>743.9</b>	<b>100%</b>	<b>668</b>	<b>15,000</b>		<b>See footnote 3</b>

<sup>1</sup> Commercial, office and retail non-residential uses shall count toward the minimum/maximum non-residential square footage. Civic and institutional uses, schools, parks and open spaces, places of religious assembly and ALF's, shall not count toward the minimum or maximum non-residential square footage.

<sup>2</sup> SF = Gross Leasable Floor Area.

<sup>3</sup> Intensity within the City of Gainesville is controlled by height limits and design standards that require buildings to face the street with modest build-to lines, instead of a maximum floor area ratio. Within the Mixed-Use Center Core the height limit is 5 stories or less, within the Mixed-Use Center outside of the Core the height limit is 4 stories or less, and within the Mixed Residential the height limit is 3 stories or less,



**STAFF ANALYSIS AND RECOMMENDATION:**

**The City of Gainesville Land Development Code outlines criteria for reviewing rezoning requests. This petition has been reviewed according to this criteria.**

**A. Compatibility of permitted uses and allowed intensity and density with surrounding existing development.**

The vision and standards established for the subject Planned Development are formed on the idea that residents will be provided with meaningful connections with sustainable forestry, natural systems retention and restoration, a network of green open spaces that provide recreation and wellness opportunities and a sense of community. Together with the allowable non-residential uses, the PD proposes to provide for a community with a mix of uses that offers a connection to nature and community. Compatibility with existing nearby development, namely Eryn's Garden (a single-family subdivision located to the south of the property), is ensured with increased setbacks. A majority of the remaining developable areas are bordered by conservation land use which will provide for natural buffers between adjacent uses.

**B. The character of the district and its suitability for particular uses.**

The district character is one of existing timber production transitioning to urban development with a focus on inclusion of the natural environment. The intent of the proposed designations is to provide a mechanism to transition from the existing character of silviculture to a more urban character that is sensitive to the value of environmental resources. Wetland areas will be immediately transitioned with the establishment of the associated Conservation Management Areas and areas currently in planted pine plantation will be transitioned either as development is proposed or as a one-time final harvest takes place. This character is suitable for the proposed uses and the time and place of ongoing silviculture practices is restricted to ensure compatibility, buffering, and natural resource protection.

**C. The proposed zoning district of the property in relation to surrounding properties and other similar properties.**

The proposed PD district with higher density and intensity residential and commercial uses clustered toward the center of the subject property will provide ample buffering from existing development. The conservation zoned districts will act as environmental set-asides preserving and enhancing much of the natural character of the property and mimicking the rural timber lands in the surrounding area.

**D. Conservation of the value of buildings and encouraging the most appropriate use of land throughout the city.**

As development will consist of new buildings, the value of the buildings will be conserved by promoting and requiring the traditional neighborhood design elements proposed in the PD report. This pedestrian-scale focus is coupled with conservation management that encourages the most appropriate use of land as required by the Comprehensive Plan.

**E. The applicable portions of any current city plans and programs such as land use, traffic ways, recreation, schools, neighborhoods, storm water management and housing.**

The proposal is consistent with Comprehensive Plan Policy 4.3.4 which outlines specific development requirements for the subject property. In regards to existing conditions at the site, existing language in Policy 4.3.4 requires that the PD rezonings shall ensure that allowed uses are integrated within the existing site landscape in a way that reasonably assures preservation of the ecological integrity of existing ecosystems by creating and maintaining connectivity between habitats, minimizing natural area fragmentation, and protecting wetlands, associated uplands, and floodplains (Policy 4.3.4.c.3.a).

**F. The needs of the city for land areas for specific purposes to serve population and economic activities.**

The proposal will encourage the increase of available housing stock which has been established as needed resource in the city. The proposed PD zoning requires a minimum of 668 units to be developed within the Mixed-Use Central District within the PD and allows for a maximum of 20 dwelling units per acre in all areas designated for residential or mixed-use development. Criteria to provide affordable housing ensures that new opportunities are available to a cross-section of city residents. In addition, the inclusion of opportunities for commercial retail will provide for a mix of uses maximizing opportunities for residents within the PD area to utilize alternative transportation modes and providing for additional commercial opportunities for existing residents of the surrounding area.

**G. Whether there have been substantial changes in the character or development of areas in or near an area under consideration for rezoning.**

The majority of the subject property has been in timber production since the late 1960s. With the applicant's proposal to move the property into urban development it becomes necessary to manage a transition from historic industrial agriculture operations to a more "traditional neighborhood" that showcases the area's natural features and environmental integrity.

**H. The goals, objectives, and policies of the Comprehensive Plan.**

The request is consistent with and will implement Comprehensive Plan Policy 4.3.4 which requires that PD zoning be designated for portions of the property that will be developed in the future. The proposed PD zoning will implement the policies and sub-policies as outlined in the PD Report (attached).



**I. The facts, testimony, and reports presented at public hearings.**

The facts, testimony, and reports of this petition will be presented at both the City Plan Board meeting and the City Commission meeting. The public will have the opportunity to examine the petition and the Board and Commission will make a determination as to whether this petition meets the stated criteria in the Land Development Code and Comprehensive Plan.

**In addition to the general review criteria for rezonings provided by this article, the city plan board and the city commission shall evaluate PD applications according to the following additional criteria:**

**A. Consistent with Comprehensive Plan. A PD application may only be approved if it is consistent with the Comprehensive Plan.**

The PD proposal is in compliance with the Comprehensive Plan, particularly Policy 4.3.4, which will be amended with the companion Comprehensive Plan Text Change application.

**B. Conformance to PD purpose. A PD application may only be approved if it is in conformance with the purpose of PDs as articulated in section 30-3.15.**

The integration of a variety of uses, the transitional character of the property, and the proposed traditional neighborhood design elements meet the intended purpose in that the proposed PD recognizes unique conditions, allows design flexibility, and promotes planned diversification and integration of uses and structures, which other zoning districts cannot accommodate.

**C. Internal compatibility.**

Extensive language within the PD report is devoted to planning to avoid undue adverse impacts. Residential uses are adequately separated and buffered while also maintaining the pedestrian scale linkages throughout the development. Commercial uses are clustered towards the center of the development and will act as a central focal point for the majority of the development activity and limiting exposure to the most intense uses.

**D. External compatibility.**

Being surrounded almost entirely by timber lands or former timber lands the proposed PD is largely compatible with surrounding properties and uses. The existing Eryn's Garden single-family neighborhood to the south of the property will be buffered by having increased setback requirements.

**E. Intensity of development.**

The residential density and intensity of use proposed by the PD are compatible and comply with the limitations set forth in Comprehensive Plan Policy 4.3.4. Non-residential and higher density uses will be concentrated at the center of the development and along SR 121. Development will be buffered by permanently retained conservation areas.

**F. Usable open spaces, plazas and recreation areas.**

The PD proposal calls for the inclusion of open spaces, plazas, and recreation areas throughout the development area. In addition, Conservation districts will provide opportunities for environmental protection and protect areas of unique beauty and significance.

#### **G. Environmental constraints.**

The site is a headwaters for Rocky Creek, Hatchet Creek, and Turkey Creek. It is in a moderate to high recharge area for the Floridan Aquifer, as identified by the Suwannee River and St. Johns River Water Management Districts. This does not preclude some development here, but does require that any development must be particularly sensitive to the protection of groundwater, especially when the water table is as close to the surface as it is on this site. The site is adjacent to the conservation easement surrounding the Murphree Wellfield. Numerous wetlands are found on the site that may serve as habitat for listed species, waterfowl, and amphibians. Large acreages of uplands on the site may provide habitat for upland listed species.

The portion of the property west of State Road 121 falls within the Hague Flatwoods Strategic Ecosystem and the eastern portion of the property is within the Buck Bay Flatwoods Strategic Ecosystem. These designations triggered a more detailed Environmental Resource Assessment and establishment of wetland boundaries in 2009 and 2017 which formed the basis for the establishment of the existing Conservation land use areas. The intent was to provide the basis for establishing environmentally suitable and sensitive uses while providing further detail through the establishment of zoning designations and Conservation Management Areas.

In addition to within Conservation land use areas, wetlands, wetland buffers, floodplain and upland habitat areas that are to be protected shall be identified as Conservation Management Areas and protected by a perpetual conservation easement in favor of the City, or a tax exempt land trust doing business within Alachua County, Florida, as determined by the City. Activities within the Conservation Management Areas shall be as set forth in a Conservation Management Plan approved by the City (see attached Conservation Management Area Management Plan, Appendix B). The proposed CMAs and CMPs cover areas both within the proposed land use and zoning changes and also within the Conservation land use areas that are not a formal part of this zoning request.

A primary feature of the proposed Conservation Management Plan and areas is the treatment of silviculture, its timing, and its continued operation within Conservation land use areas. Comprehensive Plan Policy 4.3.4 will be amended to state that existing silvicultural use within planted pine plantations will be allowed one final timber harvest and will be allowed to continue as a temporary and transitional use until terminated following a final harvest. As proposed, areas that are not in planted pine plantations (wetland areas roughly) will transition out of silviculture use with the establishment of the CMP. For areas that are currently in planted pine plantation (see Conservation Future Land Use Acreage In Transition Areas, Appendix A) the applicant is proposing to transition out of silviculture use as development applications, within a distance specified by the CMP, are submitted over time. It is important to note that in some cases, particularly in areas that have been recently harvested and replanted, this will allow current on-

going bona fide silviculture practices to continue within wetland buffer areas and Conservation land use areas for a full harvest cycle.

It is also important to note that at such time as Conservation Zoning designation is applied to the Conservation land use areas (a separate action that will take place in the future), silviculture will no longer be allowed as a permitted continuous use (any possible exceptions under state statute for bona fide silviculture notwithstanding). However, staff recognizes the environmental value of appropriately managing the land in such a way as to aid in the ultimate establishment and restoration of well-protected resources and conservation management areas. In addition, all areas designated with conservation land use must receive a zoning designation of Conservation and will be regulated in accordance with the Conservation zoning district with the exception that no residential units may be allowed and no transfer of density may be allowed to other areas. This will provide for permanent conservation of the natural resources within this area. Existing language in Policy 4.3.4 requires that the PD rezonings shall ensure that allowed uses are integrated within the existing site landscape in a way that reasonably assures preservation of the ecological integrity of existing ecosystems by creating and maintaining connectivity between habitats, minimizing natural area fragmentation, and protecting wetlands, associated uplands, and floodplains (Policy 4.3.4.c.3.a).

Additionally, Policy 4.3.4 is proposed to be amended to add language to clarify that the Alachua County Countywide Wetland Protection and Natural Resource Protection Codes apply to the subject property and to the extent that resources protected by said codes are determined to exist on the property, the requirements of said codes must be met.

#### **H. External transportation access.**

Positioned along the west and east sides of State Road 121, this PD proposal meets the external transportation access requirements.

#### **I. Internal transportation access.**

Specific locations of any potential street or transportation networks have not been proposed at this time. However, details in the design guidelines ensure general access compliance. Transportation and pedestrian routes will be determined in either the Final Plat or development review.

#### **J. Provision for the range of transportation choices.**

The PD proposal provides for a wide range of transportation and pedestrian opportunities. Parking areas will be designed and located according to the “traditional neighborhood” standards detailed in the report. An extensive sidewalk network has also be proposed in addition to the creation of greenways, and trails. At the time of development the owner/developer will be required to submit a traffic study to analyze issues related to trip generation, trip distribution, operational and safety concerns, and must propose appropriate transportation mobility modifications consistent with the transportation impacts of development.

Planned Developments adopted pursuant to the associated Comprehensive Plan Policy 4.3.4 may require that Weyerhaeuser provide for transit access when approved by the City’s Regional Transit System (RTS), and the owner/developer may be required to provide comfortable, multi-

use transit stations when transit service is made available to Weyerhaeuser. The owner/developer may be required to fund transit service (capital and operations) for the development with minimum 15-minute frequencies in the a.m. and p.m. peak hours for RTS. If the funding is for a new route to serve the development, the funding for transit must be for a minimum period of 5 years. If the funding is for expansion of an existing route to serve the development, the funding for transit must be for a minimum period of 3 years.

## CONCLUSION AND RECOMMENDATION

Staff has evaluated the rezoning according to the criteria outlined in the Land Development Code and recommends **approval** of the petition with the following conditions:

### **Conditions of Approval**

**Condition 1:** The use and development of the subject property will be regulated by the attached PD Report, any applicable regulations in the City's Land Development Code, and the associated Conservation Management Plans.

## LIST OF APPENDICES:

**Appendix A** **Area Maps** – Existing Zoning, Proposed Zoning, Conservation Future Land Use  
Acreage In Transition Areas Within CMA

**Appendix B** **Draft Ordinance and Attachments**

Draft Ordinance

PD Report

Conservation Management Area Management Plan