



2579 SW 87<sup>th</sup> Drive, Suite 101  
Gainesville, FL 32608  
nueurbanconcepts@gmail.com  
833-NUC-8484 (o) 352-363-0614 (c)

November 30<sup>th</sup>, 2020

Mrs. Missay Daniels, AICP  
Growth Management Director  
Alachua County  
Department of Growth Management  
10 SW 2<sup>nd</sup> Avenue  
Gainesville, FL 34240

Re: Celebration Pointe Comprehensive Plan Amendment

Dear Missy:

On behalf of Celebration Pointe Partners, LLC, a Comprehensive Plan Amendment (CPA) is being proposed to Objective 1.9 of the Future Land Use Element. The intent of the CPA is to add one parcels of land (06800-006-002) and three areas of land under a parent parcel (06820-002-000) to the mixed-use land use designation for Celebration Pointe and the policies under Objective 1.9, prepare Celebration Pointe for the build-out of the project, address ongoing process and review matters, and to prepare for incorporation of the County Event Center.

Ten (10) years after adoption of the Alachua County Mobility Plan, Celebration Pointe is the only large-scale Transit Orientated Development (TOD) that has been developed. Having gone through numerous plan amendments, approvals, reviews, and submittals, as well as building and site construction, it has been a challenge at times working within the current Unified Land Development Code (ULDC), which is not really designed to address such a complex, large scale, multi-dimensional project with multiple property owners, the creation of new parcels and third party agreements related to the allocation of development entitlements.

The CPA also propose to add policies to reflect that Celebration Pointe has largely completed its required development mitigation and has made a substantial investment exceeding \$100 million in horizontal infrastructure and \$500 million in vertical development. Policies are proposed to vest the entitlements for Celebration Pointe, allow the remaining un-built portions of the development to occur as market demands warrant and recognize that the development has meet its concurrency obligations and within a year from the effective date of the CPA, will amend its existing developer agreement with the County.

Parcel 06800-006-002, located at the northeast corner of Archer Road and SW 43<sup>rd</sup> Street with a future land use designation of Tourist / Entertainment, is proposed to be added to Celebration Pointe. The parcel currently contains a Circle K gas station and convenience store that will likely close once Wawa begins development. As the first parcel of land visible coming off Interstate 75 and into Celebration Pointe, it is important for the overall development to maintain a quality appearance and have some input into development of the parcel and integration with the remainder of Celebration Pointe. This parcel would fall under policies which govern areas outside of the Transit Supportive Area (TSA). The three other areas are currently shown as different land use designations on the future land use map, even though they have been incorporated into master parcel 06820-002-000. The area along the eastern property boundary was a vacated portion of the old SW 43<sup>rd</sup> Street right-of-way. The two western areas are in permanent conservation and were deeded by Alachua County to Celebration Pointe as part of an earlier parcel adjustments where Celebration Pointe deeded just over 11 acres to Alachua County. This area had conflicting property ownership at the time. The proposed amendment to the future land use map would add parcel 06800-006-002 and these three areas in parcel 06820-002-000 to the mixed-use designation on the future land use map.

**The following are the proposed changes to Objective 1.9:**

The following amendment reflects changes to the designation and request consideration related to the future land use designation being based on the legal description and boundary sketch, versus individual parcels. Celebration Pointe has created numerous new parcels from the current master parcels on land to reflect different landowners and affiliated entities. In addition, over 90 parcels have been added just to reflect platting on single family attached and detached lots. The proposed amendment also includes adding Celebration Pointe before the mixed-use land use designation. An alternative is to create an actual Celebration Pointe Land Use, which is something other local governments have done for large scale mixed-use developments. Below are the proposed changes in strike through and underline:

**Amendment**

***“That the Future Land Use Map 2030 of the Alachua County Comprehensive Plan 2011-2030, is hereby amended to change the future land use designation on all areas included and shown on Attachment “A”, (legal description and boundary sketch) attached and incorporated herein as a part thereof and included and ~~Tax Parcel Numbers described as in the 06684 000 000, 06800 006 003, 06800 006 005, 06817 003 000, 06817 003 001, 06818 000 000, 06820 000 000, 06820 002 000, 06820 002 001, 06820 002 002, 06820 002 003, 06820 002 004, 06820 002 005, 06822 000 000, 06822 001 000, 06823 002 000, 06823 001 000, 06826 001 000, 06827~~***

~~001-000, 06828-000-000, 06828-001-000, 06828-002-000, 06828-004-000, 06829-001-000, 06830-000-000, 06832-000-000, 06937-000-000, 06937-004-000~~ on approximately +/- 246 acres ~~244.27 acres~~ from Low Density Residential (1-4 dwelling units/acre), Medium Density Residential (4-8 dwelling units/acre), Recreation (R), and Tourist/Entertainment to Celebration Pointe Mixed Use as shown on Attachment "B A", (map) attached and incorporated herein as a part thereof. The areas shown on Attachments A and B include all existing parcels and all newly created parcels. Furthermore, that Objective 1.9 of the Future Land Use Element; Alachua County Comprehensive Plan 2011-2030, be added as follows:"

The following amendment is to recognize that the Preliminary Development Plan (PDP) is functionally equivalent to a Planned Development (PD) Rezoning. The original mobility plan allowed by right development of TODs. While this may work well for smaller developments, projects with multiple owners and investors have found it difficult to define by right development, which was one of the original intents of establishing a Mixed-Use Land Use for Celebration Pointe. The underlying zoning reflects multiple categories and while the PDP governs development, it does not have the same recognition as a PD zoning, even though for all intents and purposes, it goes through the same process. For future owners and investors, this proposed policy is requested.

#### **Policy 1.9.1 (e)**

*"Allowed to amend the existing approved Preliminary Development Plan to be consistent with Objective 1.9 and be permitted, if desired by the Developer and approved by the County, to establish specific conditions, criteria and standards on a Preliminary Development Plan that are consistent with Objective 1.9. The Preliminary Development Plan shall be functionally equivalent and have the same effect and intent as a Planned Development rezoning covering all parcels, and future parcels, within the Celebration Pointe mixed-use land use designation."*

The following is a new policy that allows for the conversion of non-residential square footage to residential dwellings at a ratio equivalent to how existing allowable non-residential development is calculated. This would allow for additional residential units above 2,000, in the event there was market demand for additional residential development. Celebration Pointe original had approvals for 2,225 equivalent dwelling units.

#### **Policy 1.9.1 (g)**

*"Allowed to convert approved non-residential development to residential dwelling units at a rate of 750 square feet per dwelling unit for use anywhere within the development should the market demand more than 2,000 dwelling units within Celebration Pointe."*

The following is a new policy that allows for the clear establishment of a master developer and who has authority to submit comprehensive plan and preliminary development plan amendments. It also removes the requirement to obtain owner affidavits. There are now over 150 parcels in Celebration Pointe.

#### **Policy 1.9.1 (h)**

*“Allowed to establish a process in the Preliminary Development Plan that recognizes the majority property owner within Celebration Pointe as the master developer and shall be permitted to amend the Comprehensive Plan and Preliminary Development Plan, including the addition of property, without the need to obtain owner affidavits from all property owners and not be prohibited from filing amendments should an unaffiliated property owner within Celebration Pointe have outstanding taxes, or have unresolved code enforcement, building or site plan matters before the County.”*

The following is a new policy that allows an individual owner to request a preliminary development plan of site block plan amendment for development within a block that they own without being impeded by other property owners in the development. There are now over 150 parcels in Celebration Pointe.

#### **Policy 1.9.1 (i)**

*“Allowed to establish a process in the Preliminary Development Plan that allocates entitlements per block by the master developer, to amend entitlements to address market demands, allow the owner of a block to amend development approvals within the block, including any access connections, subject to County approval, allowed, with approval of the master developer, the owner of a block to request an amendment to the Preliminary Development Plan, all without the need to obtain owner affidavits from unaffiliated owners or be impeded from doing so due to an unaffiliated owner having matters before the County.”*

The following is a new policy that provide tree mitigation credit for the areas set aside as permanent conservation and conservation areas dedicated to Alachua County. The development has paid over \$250,000 in tree mitigation and has planted more than 5,000 inches. Due to a number of factors recognized in the policy, it is request that the environmental benefit of conserving over 100 acres in permanent conservation has a significant benefit and that Celebration Pointe has saved almost 40% of the existing tree canopy, while the ULDC only requires that 5% be saved.

**Policy 1.9.1 (j)**

The following is a new policy that provide tree mitigation credit for the areas set aside as permeant conservation and conservation areas dedicated to Alachua County. The development has paid over \$250,000 in tree mitigation and has panted more than 5,000 inches. Due to a number of factors recognized in the policy, it is request that the environmental benefit of conserving over 100 acers in permanent conservation has a significant benefit and that Celebration Pointe has saved almost 40% of the existing tree canopy, while the ULDC only requires that 5% be saved.

*“Allowed 50 inches of tree mitigation credit for each acre set aside in permanent conversation, along with acreage dedicated to the County for permanent conservation. The tree mitigation credit is provided in recognition of the mixture of land uses provided, the construction of master horizontal infrastructure, the current construction of approvals for more than 500,000 square feet of development without off-street surface parking, the limitations of planting canopy trees along street right-of-way due to Gainesville Regional Utility prohibitions, the loss of trees due to seasonal high water tables and watering restrictions, the provision of two parking structures and the significant mitigation already provided in terms of planting and monetary payments. The tree mitigation credit maybe utilized through-out the development. The tree mitigation credit shall not exempt off-street parking areas and stormwater management areas designed as open space from meeting minimum tree planting requirements.”*

The following is a new policy that address the proposed County Events Center. While the Events Center is allowed today based on current approvals, the following policy seeks to address matters that may arise during development plan review based on prior development plan submittals made to Alachua County. The policy also recognizes the need to be able to display events and to be visible from I-75 and Celebration Pointe Avenue.

**Policy 1.9.1 (k)**

*“Allowed to construct the County events centers per industry standards with exemptions along the side and rear of the center from TOD opacity, articulation, screening, material variation standards and shall be allowed to provided necessary access and service functions, without restrictions, along the side and rear of the center. The events center shall be located within the village center and the front of the center shall be screened along the pedestrian promenade by buildings with various permitted uses, except for the venue entrance. The events center shall be permitted multiple display screens along the rear and side of the center oriented towards Interstate 75 and Celebration Pointe Avenue with variable displays occurring throughout the*

*day, evening and the entire year. The square footage of the events center shall be as large as necessary to meet market demands and shall not count against Celebration Pointe entitlement allowances as permitted for civic and governmental venues within a TOD. Off-street areas for service delivery and pick-up, drop-off and loading zones shall be exempted from minimum tree planting requirements.”*

The following is a new policy that vest Celebration Pointe for 2,000 dwelling units and 1.5 million square feet of non-residential development, the amounts allowed in the current Objective 1.9. The policy also recognizes the ability to expand Celebration Pointe and to allow phasing to be based on market demand and ensure existing approvals do not expire.

**Policy 1.9.1 (l)**

*“Deemed fully vested for all development plan approvals and up to 2,000 equivalent residential dwelling units, which includes hotel rooms, and 1,500,000 square feet of non-residential land uses including commercial, educational, entertainment, office, restaurant, retail and storage. The vesting shall include any additional residential units approved through the conversion of non-residential square footage and any future parcels of land added to Celebration Pointe utilizing the approved dwelling units and non-residential development. The phasing of the development shall occur over three phases with timing of development dictated by market demand and reflected on the phasing schedule included on approved preliminary development plans, as amended to address market demands.”*

The following is a new policy that recognizes Celebration Pointe has fully mitigated its transportation impact and that within a year from the effective date of this CPA, will amend its existing developer agreement with the County.

**Policy 1.9.1 (m)**

*“Deemed to have satisfied all concurrency and transportation mitigation requirements for the fully approved development. Within one (1) year from the effective date of the ordinance implementing this comprehensive plan amendment, the Celebration Pointe Development Agreement shall be updated as an essentially build-out agreement as Celebration Pointe has more than adequately mitigated its transportation obligations and transit service is provided serving the development and is offered at frequencies and spans of service that exceed TOD requirements with the Regional Transit System Transit Transfer Station at the western terminus of Celebration Pointe Avenue.”*

The following is a new policy that recognizes the multi-tenant signs that are permitted in the current ULDC for TODs. Celebration Pointe filed a ULDC amendment to add language related to signs for TODs prior to the establishment of Objective 1.9. As other mixed-use developments seek approvals from the County, the County may elect to amend the ULDC. This policy ensures that Celebration Pointe still has the right to two more multi-tenant signs constructed consistent with existing multi-tenant signs on Interstate 75 and Archer Road.

#### **Policy 1.9.1 (n)**

***“Permitted two more multi-tenant signs, one along Interstate 75 and one along Archer Road, at a size and scale consistent with the existing constructed signs. Any unified land development code modifications to allowable signs for TODs, which are more restrictive than what has been approved for Celebration Pointe, shall not apply to Celebration Pointe.”***

The following are two amendments to existing policies that reflect changes in transportation mobility.

#### **Policy 1.9.2 (f)**

***“Densities of residential uses and intensity of non-residential uses that encourages walking, bicycling, micromobility devices, low speed electric ~~transport such as bikes~~, vehicles such as, golf-carts, ~~Segways~~, trolleys, autonomous transit shuttles and short vehicular trips.”***

#### **Policy 1.9.2 (h)**

***“A centrally located multimodal center that allows for bike, micromobility, and car share programs, a park and ride, drop-off and loading areas for ride share programs, transit and autonomous transit, charging stations for electric vehicles, bikes and personal e-transport, and structured parking to promote a park-once environment.”***

The following are amendments to existing policies related to screening of parking that came up in a recent development plan submittal.

#### **Policy 1.9.3 (g)**

***“Off-street surface parking areas shall be located to the rear of buildings in the VC and TSA. Parking areas along the external property boundaries of the Celebration Pointe TOD are not required to be screened by buildings at the property boundary. Outside the TSA, off-street surface parking areas are permitted around all sides of buildings and are not required to be screened by liner buildings or pocket parks. For buildings that are more than three stories in***

height, floors above the third story shall be counted towards meeting block coverage requirements to ensure that density, vertically oriented development is not penalized for building vertically as opposed to spreading out horizontally.”

### **Policy 1.9.3 (h)**

“Liner buildings are encouraged but are not required for off-street parking. If liner buildings are not proposed, landscaping within a buffer an average of ten (10) feet in width with canopy trees every forty (40) foot on center or understory trees every twenty (20) foot on center, or some combination thereof, and bushes or shrubs which grow to 2 ½ feet or taller shall be provided to screen the parking areas. consistent with ULDC requirements for landscaping off-street parking in TODs.”

The following is an amendment to an existing policy related to mini-storage that recognizes the current TOD provisions in the Comprehensive Plan related to TODs, should the County amend the TOD policies at a future date.

### **Policy 1.9.3 (g)**

Mini-storage land uses are prohibited within the VC. Mini-storage uses are permitted within the TSA and outside the TSA so long as they are located along the periphery. The square footage of mini-storage units shall be excluded from allowable non-residential development.

The following is a new policy that recognizes the impacts from the COVID-19 pandemic and reflects market responses related to restaurants and the increased demand for delivery of food as limited interactions as COVID-19 restrictions impact the availability of seating in restaurants and new norms in market response to the pandemic.

### **Policy 1.9.3 (r)**

In recognition of the impact of Covid-19 on restaurant uses, temporary parking areas for food pick-up and delivery maybe provided along SW 45<sup>th</sup> Street within the VC where existing buildings front the pedestrian promenade. In addition, multiple drive-thru lanes maybe provided as market conditions warrant for uses outside the TSA. The temporary parking areas shall meet minimum buffer requirements and ADA accessibility requirements.

The following is an amendment to an existing policy that removes policy 1.4 in recognition of proposed policy 1.9.1 (j).

### **Policy 1.9.4 — Landscaping**



~~A tree mitigation phasing plan shall be provided, subject to County approval, to phase the planting of trees within blocks and stormwater management areas concurrent with development of adjacent buildings. Trees required for public roads shall be planted prior to acceptance of the roads by the County and warranted per the same requirements as established for roads.~~

The full strike-through and underlined Objective 1.9 of the Future Land Use Element is provided as a separate file. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in blue ink that reads "Jonathan B. Paul". The signature is written in a cursive, flowing style.

Jonathan B. Paul, AICP  
Principal

