

RESOLUTION Z-19-12

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA TO AMEND THE PLANNED DEVELOPMENT AND ASSOCIATED ZONING MASTER PLAN FOR PARCELS 04341-001-000, 04341-001-005, 04341-002-000, 04341-001-007, 04341-001-006, 04341-001-002, 04341-002-001 WITH CHANGES TO RESIDENTIAL AND NON-RESIDENTIAL ENTITLEMENTS ON APPROXIMATELY 92.4 ACRES WITH A LAND USE OF OFFICE/BUSINESS PARK AND SHOPPING CENTER LOCATED AT 415 NW 143RD STREET

WHEREAS, Zoning Application ZOM-10-19, a request to amend the Jonesville Business Park Planned Development district and its associated master plan has been duly filed and was considered by the Alachua County Planning Commission at its regular meeting of October 16, 2019, and;

WHEREAS, the Alachua County Board of County Commissioners considered this zoning item at its regular meeting of December 10, 2019;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

Zoning Application ZOM-10-19, a request by Jay Brown of JBrown Professional Group, Inc., agent, for Jonesville Plaza, LLC, owners, to amend the planned development district and associated zoning master plan for parcels 04341-001-000, 04341-001-005, 04341-002-000, 04341-001-007, 04341-001-006, 04341-001-002, 04341-002-001 with changes to residential and non-residential entitlements on approximately 92.4 acres with a land use of Office/Business Park and Shopping Center located at 415 NW 143rd Street, as summarized in the attached exhibit, is hereby approved with the following amended conditions and bases:

Conditions

1. All development within the Jonesville Business Park Mixed-Use PD shall be consistent with the permitted uses and design guidelines of the Zoning Master Plan specified on and adopted with these PD conditions.
2. Outdoor storage of materials and bulk storage of hazardous materials shall be prohibited.
3. The Developer shall dedicate a ten-foot strip of land the length of the property adjacent to the right-of-way along County Road 241 and construct a 6-foot wide sidewalk connecting to existing sidewalks to the north and south. The Developer may claim an impact fee credit for the R/W dedication.
4. Pedestrian and bicycle facility connections to surrounding developments shall be required. The location of these facilities to be determined during the development review process.
5. A single financial institution (with or without drive-through facilities) is permitted on Parcel 'C' only.
6. Parcels B, D, E & F shall develop consistent with the TND standards in ULDC Chapter 407, Article VII.

Bases

1. **Policy 2.2.9(a)1** of the FLUE states that *it is the intent of the (Jonesville) activity center to promote the area around the intersection of Newberry Road (SR 26) and SR 241 (NW 143rd Street) as a low intensity employment oriented focal point. In doing so, it should be developed as a mixed use center allowing for general land use classifications as identified on the activity center map.* The proposed PD does allow for a mix of uses including residential (554 units plus 166 units of group housing), business park (100,000 sf) and commercial (122,622 sf). The proposed amendment thus fulfills the intent of this policy for the Jonesville Activity Center.
2. **Policy 2.2.9(a)2** of the FLUE states, in part, that *development of areas designated for office/business park or shopping center shall be in the form of a planned development (PD). Such an application shall show a detailed plan including stormwater management, buffering and an internal/external traffic circulation plan and other appropriate design features.* The applicant has submitted a revised ZMP for the PD that contains all of the elements listed in this policy. The proposed amendment thus fulfills the intent of this policy for the Jonesville Activity Center.
3. **Policy 2.2.9(b)2** of the FLUE states that *all proposed development is required to be served by central water and sewer.* The proposed PD, as amended, will be served by central water and sewer service in fulfillment of this policy.
4. **Policy 7.1.2** of the FLUE states that *proposed changes in the zoning map shall consider:*

a. consistency with the goals, objectives, policies and adopted maps of the Comprehensive Plan

The proposed PD amendment is consistent with the goals, objectives, policies and adopted maps of the Comprehensive Plan. The site is located in the Jonesville Activity Center and is governed by these policies. Approval of the PD amendment is consistent with these policies.

b. the availability and capacity of public facilities required to serve the development. When considering a rezoning, this includes availability and capacity of existing public facilities and timing of future facilities based on capital plans. Specific determinations for any exceptions to the requirement to connect to a centralized potable water and sanitary sewer system will be made at the stage of development plan review, as detailed in Policy 2.1 of the Potable Water and Sanitary Sewer Element.

The site is located in the Urban Cluster and will be served by a centralized potable water and sanitary sewer system. This PD amendment request is not expected to result in significant impacts to the transportation network. The applicant will be required to provide MMTM mitigation per requirements for non-residential development.

c. the relationship of the proposed development to existing development in the vicinity and considerations relating to environmental justice and redevelopment opportunities.

Existing development in the vicinity consists of primarily of commercial uses (along Newberry Road) as well as some residential development on the periphery of the activity center. The proposed PD amendment will not introduce incompatible uses but will instead bring additional residential development within the activity center and introduce a new housing type (group housing).

d. those factors identified by law, including that as a general matter an applicant is not entitled to a particular density or intensity within the range of densities and intensities permitted by the Comprehensive Plan, given due consideration of legitimate public purposes relating to health, safety, and welfare.

The rezoning does not entitle the applicant to any particular intensity within the range of uses permitted.

5. Sec. 402.77 of the ULDC states that *when considering any application for rezoning, the standards and criteria listed below shall apply:*

(a) Consistency.

- (b) *Compatibility.*
- (c) *Development patterns.*
- (d) *Suitability.*
- (e) *Adequate public services.*
- (f) *Access.*
- (g) *Public health, safety, and welfare.*

The proposed PD amendment will permit additional residential uses that are consistent with the mixed use land use designation for these parcels. The PD is compatible with surrounding zoning districts along the Newberry Road corridor. The majority of these are BR (Business Retail sales and service) or BH (Business highway) district. These properties contain mostly retail establishments. Properties to the north and east of the PD are residential in nature (Arbor Greens, Tara Greens, Strawberry Fields). The proposed amendments to the PD district call for a reduction of non-residential entitlements and an increase in residential entitlements (maximum 556 residential dwelling units and 166 group housing units.) This is consistent with surrounding residential development and would, if built, have direct access to shopping and other amenities in the shopping area south of NW 2nd Lane. Such residential development would be a continuation of the residential development found just outside the activity center and thus would be compatible with these uses. The site has direct access onto both Newberry Road as well as NW 143rd Street. Adequate public services are available to serve potential uses allowed in the PD. There are no negative impacts to public health, safety or welfare that would occur as a result of this rezoning.

6. **Sec. 405.04** requires all new development 25 or more acres and more than 150 units to develop as a TND consistent with Chapter 407, Article VII. Amendments to existing PDs are allowed notwithstanding this requirement if the revisions do not constitute a modification (increase or decrease) of greater than 25% of the total residential units or nonresidential square footage. The proposed amendment to the Jonesville Business Park PD is greater than this alteration and so therefore the remainder of the unbuilt portion must develop consistent with the TND standards.

DULY ADOPTED in regular session this 10th day in December, A.D., 2019.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By:_____

Robert Hutchinson, Chair

ATTEST:

Jesse K. Irby, II, Clerk

APPROVED AS TO FORM

(SEAL)

Alachua County Attorney

DEPARTMENT APPROVAL

AS TO CORRECTNESS

Department of Growth Management

Authorized Designee

EXHIBIT A

Description: (by surveyor) – Parcel "PD1" (Jonesville Business Park)

Lands described in O.R.B. 2387, page 344 and O.R.B. 2387, page 342 and part of lands described in O.R.B. 2631, page 642, all of the public records of Alachua County, Florida, lying in Section 3, Township 10 South, Range 18 East, within the Arredondo Grant, Alachua County, Florida; being more particularly described as follows:

Begin at a concrete monument at the Northeast corner of said Section 3, and run thence South 00°34'31"East, along the East line of said Section, 1016.32 feet to the Southeast corner of said O.R.B. 2387, page 342, thence South 89°33'03"West, along the South line of said O.R.B. 2387, page 342, a distance of 300.08 feet; thence South 00°34'31"East, a distance of 422.29 feet to the North right-of-way line of N.W. 2nd Lane; thence South 88°47'36"West, along said North right-of-way line, a distance of 1655.87 feet; thence North 01°14'58"West, a distance of 218.98 feet to the Northeast corner of lands described in O.R.B. 1658, page 2500, said public records; thence South 88°48'31"West, a distance of 210.15 feet to the Northwest corner of said O.R.B. 1658, page 2500 and the East right-of-way line of N.W. 143rd Street (a.k.a. County Road No. 241), said point being on a non-tangent curve, concave Easterly, having a radius of 11421.52 feet, a central angle of 00°50'49" and a chord bearing and distance of North 01°09'31"West – 168.81 feet; thence Northerly, along said curve and along said East right-of-way line, an arc distance of 168.81 feet to the end of said curve; thence North 00°45'12"West, along said East right-of-way line, a distance of 1075.32 feet to the North line of said Section 3; thence North 89°32'48"East, along said North line, a distance of 2173.63 feet to the said Point-of-Beginning.

Containing 68 261 Acres, more or less.

TOGETHER WITH:

Description: (by surveyor) – Parcel "PD2" (Jonesville Business Park)

Lands described in O.R.B. 3654, page 63, of the public records of Alachua County, Florida, lying in Section 3, Township 10 South, Range 18 East, within the Arredondo Grant, Alachua County, Florida; being more particularly described as follows:

Commence at a concrete monument at the Northeast corner of said Section 3, and run thence South 00°34'31"East, along the East line of said Section, 1016.32 feet to the Southeast corner of said O.R.B. 2387, page 342; thence South 89°33'03"West, along the South line of said O.R.B. 2387, page 342, a distance of 300.08 feet; thence South 00°34'31"East, a distance of 422.29 feet to the North right-of-way line of N.W. 2nd Lane; thence continue South 00°34'31"East, a distance of 70.00 feet; thence South 88°47'36"West, a distance of 30.00 feet to the intersection of the West right-of-way line of N.W. 138th Terrace and the South right-of-way line of said N.W. 2nd Lane and the Point-of-Beginning of the herein described parcel; thence continue South 88°47'36"West, along said South right-of-way line, a distance of 688.44 feet; thence

South 43°47'43"West, a distance of 36.78 feet to the East right-of-way line of N.W. 140th Terrace; thence South 01°12'32"East, along said East right-of-way line, a distance of 643.83 feet to the North right-of-way line of West Newberry Road (a.k.a. State Road No. 26); thence North 88°47'14"East, along said North right-of-way line, a distance of 550.31 feet to the beginning of a tangent curve, concave Northerly, having a radius of 2809.79 feet, a central angle of 03°11'55" and a chord bearing and distance of North 87°11'30"East – 156.85 feet; thence Northeasterly, along said curve, an arc distance of 156.87 feet to the said West right-of-way line of N.W. 138th Terrace; thence North 00°34'31"West, along said West right-of-way line, a distance of 665.43 feet to the said Point-of-Beginning.

Containing 10.916 Acres, more or less.

TOGETHER WITH:

Description: (by surveyor) – Parcel "PD3" (Jonesville Business Park)

Lands described in O.R.B. 2221, page 1045 and O.R.B. 4221, page 1171 and O.R.B. 3541, page 45 and part of lands described in O.R.B. 2631, page 642, all of the public records of Alachua County, Florida; lying in Section 3, Township 10 South, Range 18 East, within the Arredondo Grant, Alachua County, Florida, being more particularly described as follows:

Commence at a concrete monument at the Northeast corner of said Section 3, and run thence South 00°34'31"East, along the East line of said Section, 1016.32 feet to the Southeast corner of said O.R.B. 2387, page 342; thence South 89°33'03"West, along the South line of said O.R.B. 2387, page 342, a distance of 300.08 feet; thence South 00°34'31"East, a distance of 422.29 feet to the North right-of-way line of N.W. 2nd Lane; thence continue South 00°34'31"East, a distance of 70.00 feet; thence South 88°47'36"West, a distance of 30.00 feet to the intersection of the West right-of-way line of N.W. 138th Terrace and the South right-of-way line of said N.W. 2nd Lane; thence continue South 88°47'36"West, along said South right-of-way line, a distance of 588.44 feet; thence South 43°47'43"West, a distance of 36.78 feet to the East right-of-way line of N.W. 140th Terrace; thence South 01°12'32"East, along said East right-of-way line, a distance of 643.83 feet to the North right-of-way line of West Newberry Road (a.k.a. State Road No. 26); thence South 88°47'14"West, along said North right-of-way line, a distance of 100.00 feet to the West right-of-way line of said N.W. 140th Terrace and the Point-of-Beginning of the herein described parcel; thence continue South 88°47'14"West, along said North right-of-way line, a distance of 289.50 feet to the Southeast corner of lands described in O.R.B. 4060, page 4, said public records; thence North 02°36'39"West, a distance of 240.02 feet to the Northeast corner of said O.R.B. 4060, page 4; thence South 88°46'55"West, a distance of 199.87 feet to the Northwest corner of said O.R.B. 4060, page 4; thence South 02°34'45"East, a distance of 239.97 feet to the Southwest corner of said O.R.B. 4060, page 4 and said North right-of-way line of West Newberry Road; thence South 88°46'52"West, along said North right-of-way line, a distance of 290.33 feet to the Southeast corner of lands described in O.R.B. 2228, page 2229, said public records; thence North 01°12'46"West, a distance

of 205.36 feet to the Northeast corner of said O.R.B. 2228, page 2229; thence South 88°47'14"West, a distance of 214.55 feet to the Northwest corner of said O.R.B. 2228, page 2229 to the East right-of-way line of N.W. 143rd Street (a.k.a. County Road No. 241); thence North 02°34'03"West, along said East right-of-way line, a distance of 464.78 feet to the South right-of-way line of said N.W. 2nd Lane; thence North 88°48'03"East, along said South right-of-way line, a distance of 865.38 feet; thence South 01°12'32"East, a distance of 9.96 feet; thence North 88°47'38"East, along said South right-of-way line, a distance of 140.00 feet to the said West right-of-way line of N.W. 140th Terrace; thence South 01°12'32"East, along said West right-of-way line, a distance of 659.84 feet to the said Point-of-Beginning.

Containing 13.207 Acres, more or less.

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