



City of Gainesville

Department of Sustainable
Development

CITY PLAN BOARD STAFF REPORT

PUBLIC HEARING DATE: February 24, 2022

PROJECT NAME AND NUMBER: Dr. Ebrahim Land Use Amendment PB-22-00019 LUC

APPLICATION TYPE: Legislative

RECOMMENDATION: Approve

CITY PROJECT CONTACT: Juan Castillo

PROPERTY SIZE: 0.65 +/- Acres



Figure 1: Existing Land Use – Alachua County Commercial



Figure: 2 Proposed Land Use – City of Gainesville Urban Mixed Use (UMU)

APPLICATION INFORMATION

Agent/Applicant: City of Gainesville.

Property Owner(s): King Tut Corp. / Dr. Fawzy Ebrahim.

Related Petition(S): PB-22-00018 ZON

SITE INFORMATION

Location: South of Biven's Arm and City Boundary, on SW 13th St.

Parcel Number(s): 07256-004-000

Existing Use(s): Vacant

Current Land Use Designations(s): Commercial (Alachua County)

Current Zoning Designation(s): Highway Oriented Business (BH) Alachua County

Transportation Mobility Program Area (TMPA): Zone A

Table 1: Adjacent Property Characteristics:

	Existing Use(s)	Land Use Designation(s)	Zoning Designation(s)
North	Residential, Multi-family	Residential Low (RL) 0 to 15 DU/AC	City of Gainesville Planned Development (PD)
South	Medical/Clinical Housing	Commercial (Alachua County)	Highway Oriented Business (BH) Alachua County
East	ROW, Commercial	ROW, Commercial (Alachua County)	Retail Sales, and Services (BR) Alachua County
West	Residential, Multi-family	Commercial (Alachua County)	Planned Development (PD), Highway Oriented Business (BH) Alachua County

Purpose and Description

This petition is a City initiated request due to the annexation of this property, to amend the Future Land Use Map from Alachua County Commercial to Urban Mixed-Use (UMU) for a property generally located south of the Landing at Bivens Arms development, south of the existing City boundary, on SW 13th St. This request is accompanied with a request for a rezoning via related petition PB-22-00018 ZON.

The requested comprehensive plan amendment to the Gainesville Future Land Use Map pertains to a total property area of .65 +/- acres and will allow for mixed use development.

Currently, the existing Alachua County Commercial land use allows for strictly commercial and retail development. The proposed Urban Mixed-Use (UMU) land use would increase the maximum dwelling units per acre to 60 with provisions to add up to 20 additional units per acre by Special Use Permit. It would also introduce a mixed use and urban component to the area by allowing the potential for a mix of residential, commercial, and office development and would serve as an extension of the existing UMU land use further north. Furthermore, it would allow for a rezoning of the subject property to an urban transect zoning district U7 which increases the allowable uses for the property. The rezoning of this property is discussed in the report for the BP-22-00018 ZON petition.

The UMU land use will be one of several properties expected to request this land use amendment along SW 13th St. As stated earlier in the report, UMU land use exists further north from the subject property, close enough to the subject property to be consistent with the introduction of more UMU land use to the area. Immediate development surrounding the subject property reflect a consistent development pattern with the proposed UMU land use, this includes existing developments such as the Gator Town Inn, Shands Recovery Center and restaurants in the area.

Recommendation Criteria

Staff's recommendation is based on the factors stated in the Future Land Use Element Policy 4.1.3.

Those following factors are below:

1. Consistency with the Comprehensive Plan
2. Compatibility and surrounding land uses
3. Environmental impacts and constraints
4. Support for urban infill and redevelopment
5. Impacts on affordable housing
6. Impacts on the transportation system
7. Availability of facilities and services
8. Need for the additional acreage in the proposed future land use category
9. Discouragement of urban sprawl as defined in Section 163.3164, F.S., and consistent with the requirements of Subsection 163.3177 (6)9, F.S.
10. Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy
11. Need to modify land use categories and development patterns within antiquated subdivisions as defined in Section 163.3164, F.S.

ANALYSIS

1. Consistency with the Comprehensive Plan

The proposed Urban Mixed Use land use has been shown to be consistent with the City's Comprehensive Plan Future Land Use element: Objective 1.5, Objective 3.1, Objective 3.4, Objective 4.1., Policy 4.2.1, and Objective 4.2; the requested future land use category is listed below, under Policy 4.1.1.

Objective 1.5 Discourage the proliferation of urban sprawl.

Objective 3.1 The City shall protect environmentally sensitive land, conserve natural resources, and maintain open spaces identified in the Future Land Use Map Series through the Development Review Process and land acquisition programs.

Objective 3.4 The City shall ensure that services and facilities needed to meet and maintain the Level of Service (LOS) standards adopted in this Plan are provided.

Objective 4.1 The City shall establish land use designations that allow sufficient acreage for residential, commercial, mixed use, office, industrial, education, agricultural, recreation,

conservation, public facility and institutional uses at appropriate locations to meet the needs of the proposed population and that allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites.

Objective 4.2 The City shall implement regulations that will protect low-intensity uses from the negative impacts of high-intensity uses and provide for the healthy coexistence and integration of various land uses.

Policy 4.2.1 The City shall adopt land development regulations that provide protection for adjacent residential areas and low intensity uses from the impacts of high intensity uses by separating intense uses from low-intensity use by transitional uses and by performance measures. Performance measures shall address the buffering of adjacent uses by landscape, building type and site design. Regulation of building type shall insure compatibility of building scale, and overall building appearance in selected areas. Regulation of the site design shall address orientation. Such regulation shall also include arrangement of functions within a site, such as parking, loading, waste disposal, access points, outdoor uses and mechanical equipment; and the preservation of site characteristics such as topography, natural features and free canopy.

Policy 4.1.1 Land Use Categories on the Future Land Use Map shall be defined as follows:

Urban Mixed-Use (UMU): up to 60 units per acre; and up to 20 additional units per acre by Special Use Permit

This land use category allows residential, office, retail and serve uses either as stand-alone uses or combined in a mixed-use development format. Light assembly, fabrication, and processing uses within fully enclosed structures shall be allowed in specified zoning districts as specially regulated by the Land Development Code. Structures in this category shall be oriented to the street and encouraged multi-modal transportation through the development design. Developments located within this category shall be scaled to fit the character of the area. Residential density shall be limited to 60 units per acre with provisions to add up to 20 additional units per acre by Special Use permit as specified in the land development regulations. Maximum building height shall range between 4 to 5 stories, depending upon the implementing zoning district, with provisions to add up to an additional 1 to 2 stories by a height bonus system as established in the Land Development Code. Land development regulations shall set the appropriate densities, the types of uses; design criteria; landscaping, and pedestrian/vehicular access. Public and private schools, places of religious assembly and community facilities are appropriate within this category.

Policy 4.1.2 Underlying densities and intensities of development within the future land use categories shall be consistent with the policies in the Conservation, Open Space and Groundwater Recharge, and Future Land Use Elements providing standards and criteria established for the protection of environmentally sensitive land and resources.

2. Compatibility and Surrounding Land Uses

The applicant's property is surrounded by restaurants, multi family development, and a motel to the north, Single family to the east, commercial and health care developments to the south, and more commercial and restaurants to the west. The proposed land use is consistent with the existing use of a health care facility/rehabilitation facility and is also consistent with the established development trend in the area.

3. Environmental Impacts and Constraints

The subject parcel does not contain wetlands, FEMA Floodplain, Strategic Ecosystems or other environmental features. However, the Bivens Arm Nature Park and Sweetwater Wetlands Park are within a quarter of a mile from the subject property. Adverse impact from the subject property unto Bivens Arm Nature Park and Sweetwater Wetlands Park is not expected.

4. Support for Urban Infill and/or Redevelopment

The subject property is surrounded by existing development which includes multi-family apartments, commerce, retail, and restaurants. The subject parcel is developed; however, the proposed land use would allow for more consistent densification in an urban area that shows a denser development trend.

5. Impacts on Affordable Housing

The proposed UMU land use is not expected to have a negative impact on affordable housing. The site is improved with the Shands Housing and Rehabilitation Center, however in the event of future development, the site would allow for a mixed-use development with a residential component of 60 dwelling units per acre.

6. Impacts on the Transportation System

There are no major transportation issues associated with the proposed land use change. This property is served by SW 13th St at the western boundary, therefore there will be no immediate changes to the transportation network. The property lies in the Transportation Mobility Program Area (TMPA) zone A and is part of the UF context area. Any future development on this site will be subject to the City's adopted transportation Mobility Program Area Zone A.

This .65-acre land is located south of the Landing at Bivens Arms development, south of the existing City boundary, on SW 13th St. Sidewalks and bike lanes are available on both SW 13th St and the subject property is accessible by car, bike and bus transit.

Transit service along SW 13th St adjacent to the west end of the property in question:

- Route 13 – Shands Hospital/UPD - Florida Works

7. Availability of Facilities and Services

Gainesville Regional Utilities (GRU) services such as water, sewer, and electricity are available to the subject parcel. Furthermore, the site is serviced by the City of Gainesville with Police, Fire, and Waste/Garbage.

8. Need for the Additional Acreage in the Proposed Future Land Use Category

The number of acres of UMU in the city is 1.370 or 2.09% of the city area. Given the low percentage of Urban Mixed-Use Zoning and the Comprehensive Plan's objective to

“establish land use designations that allow sufficient acreage for residential, commercial, mixed use, office, industrial, education, agricultural, recreation, conservation, public facility and institutional uses at appropriate locations to meet the needs of the proposed population and that allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites.”

A need for more UMU land use is evident.

9. Discouragement of Urban Sprawl as Defined in Section 163.3164, F.S., and Consistent with the Requirements of Subsection 163.3177(6) (a) 9, F.S.

Sub-section 163.3164 (51), F.S. states that “Urban sprawl” means a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses. Sub-section 163.3177 (6) (a) 9 requires that the future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

This amendment to the future land use element discourages the proliferation of urban sprawl because it meets the following criteria of Sub-section 163.3177 (6) (a) 9 b.:

Sub-section 163.3164 (51), F.S. states that “Urban sprawl” means a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and

rural uses. Sub-section 163.3177 (6) (a) 9 requires that the future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

This amendment to the future land use element discourages the proliferation of urban sprawl because it meets the following criteria of Sub-section 163.3177 (6) (a) 9 b.:

- i. Directs or locates economic growth and associated land development to geographic area of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

YES. The proposed land use amendment will encourage further densification of an existing and developed piece of property in an urbanized area. The subject property has no wetlands or surface waters and is exempt from the criteria stipulated in Sec. 30-8.17 (Regulated surface water and wetlands) of the Land Development Code. The subject property also has no evident or documented natural features or archaeological artifacts that would be subject to the criteria of Sec. 30-8.13 Regulations of Natural and Archaeological Resources.

- ii. Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

YES. The subject parcel is located in an urbanized area that is served by public utilities and other public services, including transit. This property is served by SW13th St. Currently the subject property is part to the TMPA Zone A.

- iii. Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

YES. The proposed land use amendment to UMU will increase the redevelopment potential of the subject property by allowing for a more consistent mix of allowable uses. This area is in close vehicular proximity to retail and commercial developments and educational facilities from the University of Florida. The road adjacent to the subject property has sidewalks fit for the expansion of walkable communities with bike lanes. Furthermore, there's currently an RTS bus route that passes in front of the property, RTS Route 13.

- iv. Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

YES. The proposed UMU land use designation will enable the potential for a more consistent and varied list of uses on the property incorporating both residential and non-residential uses.

10. Need for job creation, capital investment, and economic development to strengthen and diversify the city's economy;

The proposed land use amendment will increase the potential for development on the property, which is supportive of the City's economic development goal of encouraging infill development.

11. Need to modify land uses categories and developmental patterns within antiquated subdivisions as defined in Section 163.3164, F.S.

Existing development on the subject parcel does not fall within the definition of an antiquated subdivision as defined in Section 163.3164, F.S.

RECOMMENDATION

Staff recommends approval of petition PB-22-00019 Land Use Amendment of parcel 07256-004-000 from Alachua County Commercial to City of Gainesville Urban Mixed Use (UMU) 60 units per acre.

DRAFT MOTION FOR CONSIDERATION

Approve PB-22-00019 LUC Land Use Amendment of parcel 07256-004-000 from Alachua County Commercial to City of Gainesville Urban Mixed Use (UMU) 60 units per acre.

LIST OF APPENDICES

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A-2 Relevant Comprehensive Plan Goals, Objectives, Policies (GOP)

A-3 Comprehensive Plan – Transportation Mobility Element

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APPENDIX A: Comprehensive Plan Goals, Objectives and Policies

Appendix A: Comprehensive Plan Goals, Objectives and Policies

A-1 Comprehensive Plan Future Land Use Element

Policy 4.1.1 Land Use Categories on the Future Land Use Map shall be defined as follows:

Urban Mixed-Use (UMU): up to 60 units per acre; and up to 20 additional units per acre by Special Use Permit

This land use category allows residential, office, retail and serve uses either as stand-alone uses or combined in a mixed-use development format. Light assembly, fabrication, and processing uses within fully enclosed structures shall be allowed in specified zoning districts as specially regulated by the Land Development Code. Structures in this category shall be oriented to the street and encouraged multi-modal transportation through the development design. Developments located within this category shall be scaled to fit the character of the area. Residential density shall be limited to 60 units per acre with provisions to add up to 20 additional units per acre by Special Use permit as specified in the land development regulations. Maximum building height shall range between 4 to 5 stories, depending upon the implementing zoning district, with provisions to add up to an additional 1 to 2 stories by a height bonus system as established in the Land Development Code. Land development regulations shall set the appropriate densities, the types of uses; design criteria; landscaping, and pedestrian/vehicular access. Public and private schools, places of religious assembly and community facilities are appropriate within this category.

A-2 Relevant Comprehensive Plan Goals, Objectives, Policies (GOP)

Objective 1.5 Discourage the proliferation of urban sprawl.

Objective 3.4 The City shall ensure that services and facilities needed to meet and maintain the Level of Service (LOS) standards adopted in this Plan are provided.

Objective 4.1 The City shall establish land use categories that allow sufficient acreage for residential, commercial, mixed-use, office, industrial, education, agricultural, recreation, conservation, public facility, and institutional uses at appropriate locations to meet the needs of the projected population and that allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites. Land use categories associated with transect zones are intended to encourage a more efficient and sustainable urban form by allowing a range of housing, employment, shopping and recreation choices and opportunities in a compact area of the City.

Objective 4.2 The City shall implement regulations that will protect low-intensity uses from the negative impacts of high-intensity uses and provide for the healthy coexistence and integration of various land uses.

Policy 4.2.1 The City shall adopt land development regulations that provide protection for adjacent residential areas and low intensity uses from the impacts of high intensity uses by separating intense uses from low-intensity uses by transitional uses and by performance measures. Performance measures shall address the buffering of adjacent uses by landscape, building type and site design. Regulation of building type shall insure compatibility of building scale, and overall building appearance in selected areas. Regulation of site design shall address orientation. Such regulation shall also include arrangement of functions within a site, such as parking, loading, waste disposal, access points, outdoor uses and mechanical equipment; and the preservation of site characteristics such as topography, natural features and tree canopy.

A-3 Comprehensive Plan – Transportation Mobility Element

Objective 10.1 The Gainesville Transportation Mobility Program Area (TMPA) shall include all property within city limits (although the TMPA shall not apply to annexed properties that do not yet have an adopted City land use category) and shall be subdivided into designated Zones A, B, C, D, E and M as mapped in the Transportation Mobility Element Data and Analysis Report and in the Geographic Information System (GIS) Map Library located on the City's Planning and Development Services Department website.

- Policy 10.1.1 All property within city limits is included in the Gainesville Transportation Mobility Program Area (TMPA); however, the TMPA shall not apply to annexed properties that do not yet have an adopted City land use category. When annexed properties are designated with a City land use category, they shall be assigned to the most physically proximate TMPA zone as mapped in the Transportation Mobility Element Data and Analysis Report and in the GIS Map Library on the City's Planning and Development Services Department website.
- Policy 10.1.2 All land uses and development located in the TMPA shall meet the TMPA policies specified in this Element.

- Policy 10.1.3 Zone A shall promote redevelopment and infill in the eastern portion of the City and the area near the University of Florida. Except as shown in Policy 10.1.4 and Policy 10.1.14, funding for multi-modal transportation in Zone A shall be provided to the maximum extent feasible by the City, Community Redevelopment Agency, federal or state governments, and other outside sources such as grant funds.
- Policy 10.1.4 For any development or redevelopment within Zone A, the developer shall provide the following transportation mobility requirements. The developer shall provide any transportation modifications that are site related and required for operational or safety reasons, such as, but not limited to, new turn lanes into the development, driveway modifications, or new traffic signals, and such operational and safety modifications shall be unrelated to the Transportation Mobility Program requirements.
- a. Sidewalk connections from the development to existing and planned public sidewalk along the development frontage;
 - b. Cross-access connections/easements or joint driveways, where available and economically feasible;
 - c. Deeding of land or conveyance of required easements along the property frontage to the City, as needed, for the construction of public sidewalks, bus turn-out facilities, and/or transit shelters. Such deeding or conveyance of required easements, or a portion of same, shall not be required if it would render the property unusable for development. A Transit Facility License Agreement between the property owner and the City for the placement of a bus shelter and related facilities on private property may be used in lieu of deeding of land or conveyance of easements. The License Agreement term shall be for a minimum of 10 years;
 - d. Closure of existing excessive, duplicative, or unsafe curb cuts or narrowing of overly wide curb cuts at the development site, as defined

in the Access Management portion of the Land Development Code;
and

- e. Safe and convenient on-site pedestrian circulation, such as sidewalks and crosswalks connecting buildings and parking areas at the development site.

Policy 10.1.5 For any development or redevelopment within Zones B, C, D, E, or M, the developer shall provide all of the items listed in Policy 10.1.4 and shall provide the transportation mobility requirements as specified in Policies 10.1.6, 10.1.7, 10.1.9, 10.1.11, 10.1.13, and 10.1.14, as applicable. The developer shall also provide any transportation modifications that are site related and required for operational or safety reasons, such as, but not limited to, new turn lanes into the development, driveway modifications, or new traffic signals, and such operational and safety modifications shall be unrelated to the Transportation Mobility Program requirements.

Policy 10.1.6 For any development or redevelopment within Zone B, the developer shall, at the developer's expense, meet the following transportation mobility criteria based on the development's (including all phases) trip generation and proportional impact on transportation mobility needs. The criteria chosen shall relate to the particular development site and the transportation mobility conditions and priorities in the zone, adjacent zones, and/or citywide for criteria that benefit the overall transportation system. Based on cost estimates provided by the developer and verified by the City, the City shall have the discretion to count individual criteria as equivalent to two or more criteria for purposes of satisfying transportation mobility requirements. Provision of the required transportation mobility criteria shall be subject to final approval by the City during the development review process and shall be memorialized in a TMPA agreement between the City and the developer.

Net, New Average Daily Trip Generation	Number of Criteria That Shall Be Met
50 or less	At least 1
51 to 100	At least 2
101 to 400	At least 3
401 to 1,000	At least 5
1,001 to 5,000	At least 8

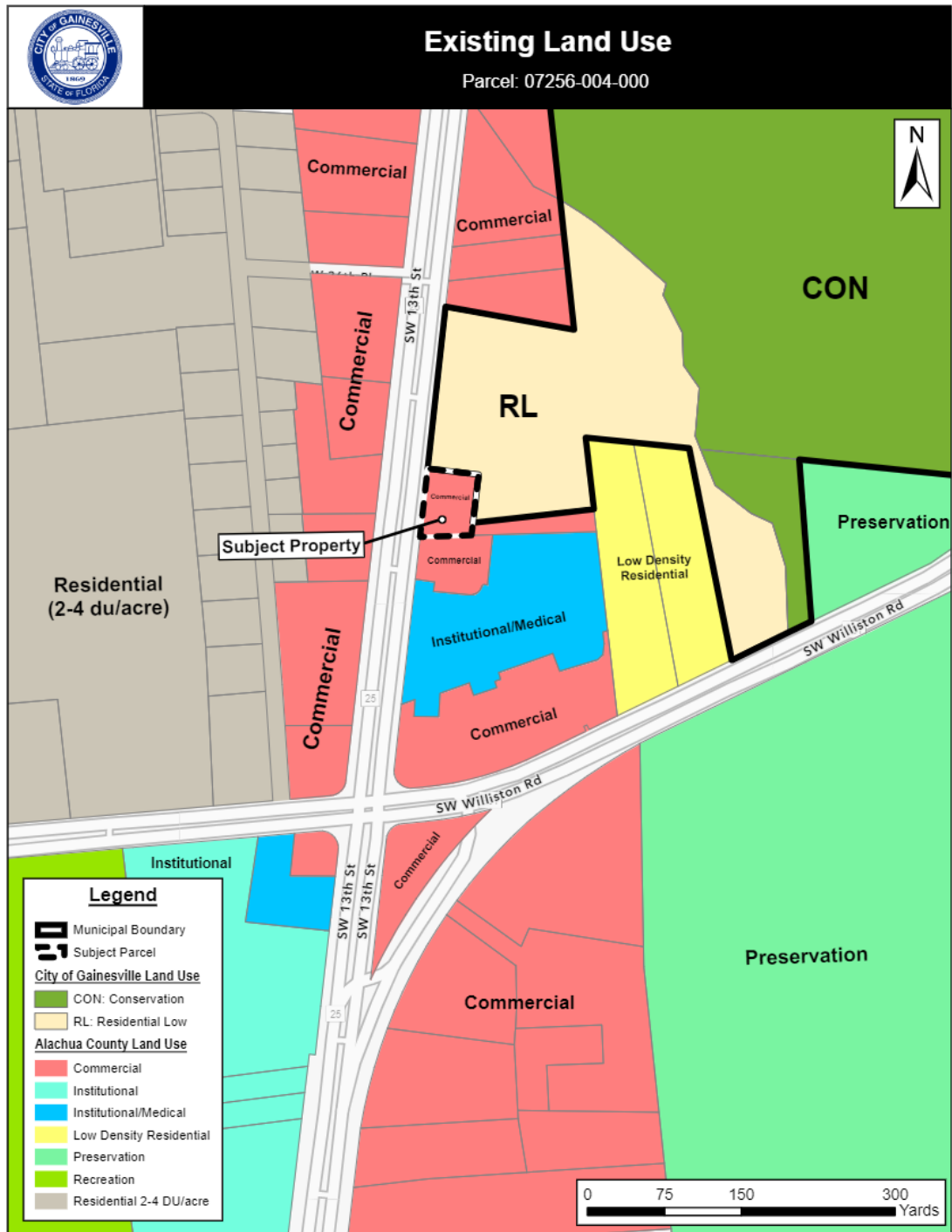
Greater than 5,000	<p>At least 12 and meet either a. or b.:</p> <ul style="list-style-type: none"> a. Located on an existing RTS transit route with minimum 15-minute frequencies in the a.m. and p.m. peak hours. b. Provide funding for a new RTS transit route with minimum 15-minute frequencies in the a.m. and p.m. peak hours or provide funding to improve RTS transit headways to minimum 15-minute frequencies in the a.m. and p.m. peak hours. Funding for new routes shall include capital and operating costs for a minimum of 5 years. Funding for existing route expansions or enhancements shall include capital and operating costs for a minimum of 3 years.
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Policy 10.6.1 Parking in excess of that required by the Land Development Code shall be prohibited within the TMPA.

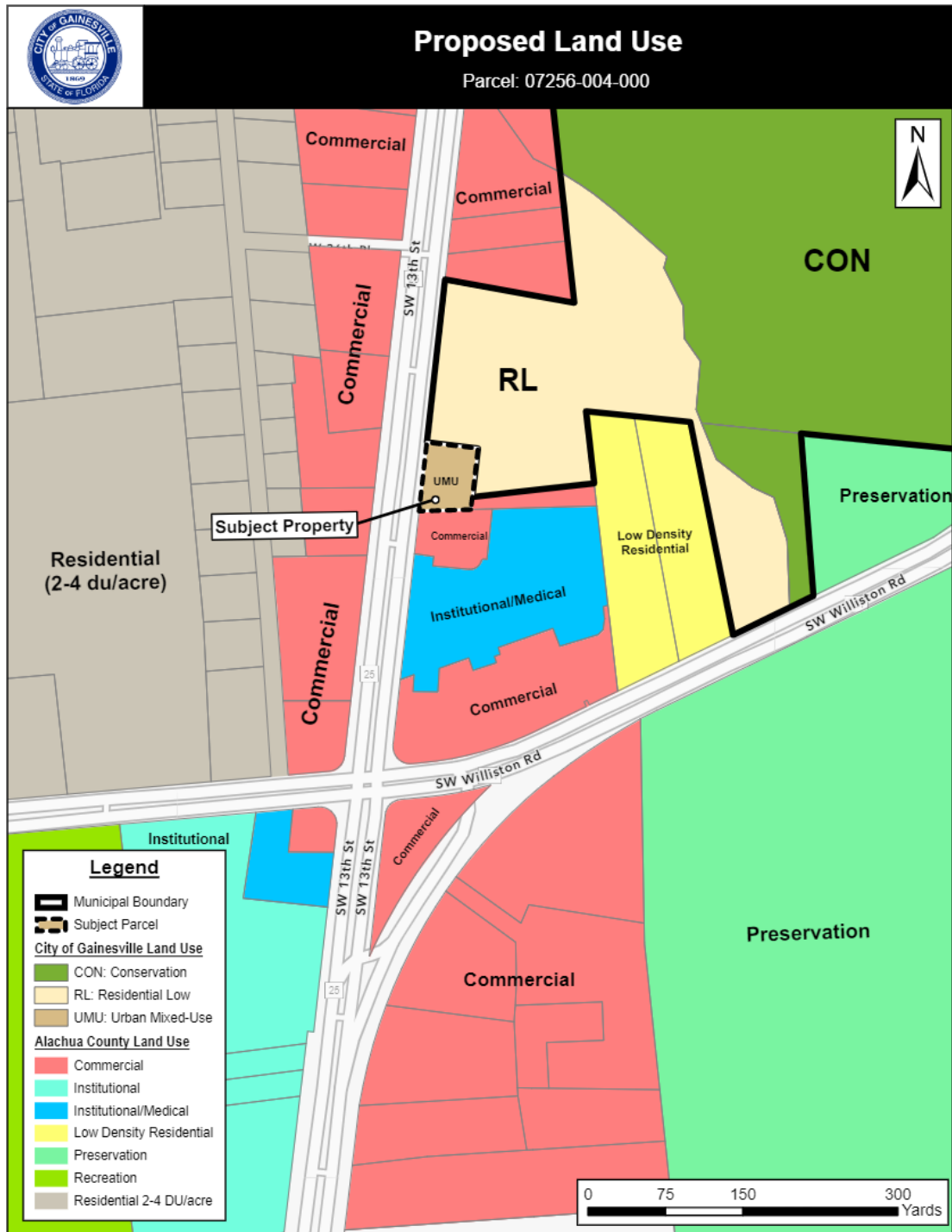
Policy 10.6.2 Developments may apply for a parking reduction within the TMPA, based on criteria in the Land Development Code.

APPENDIX B: Maps

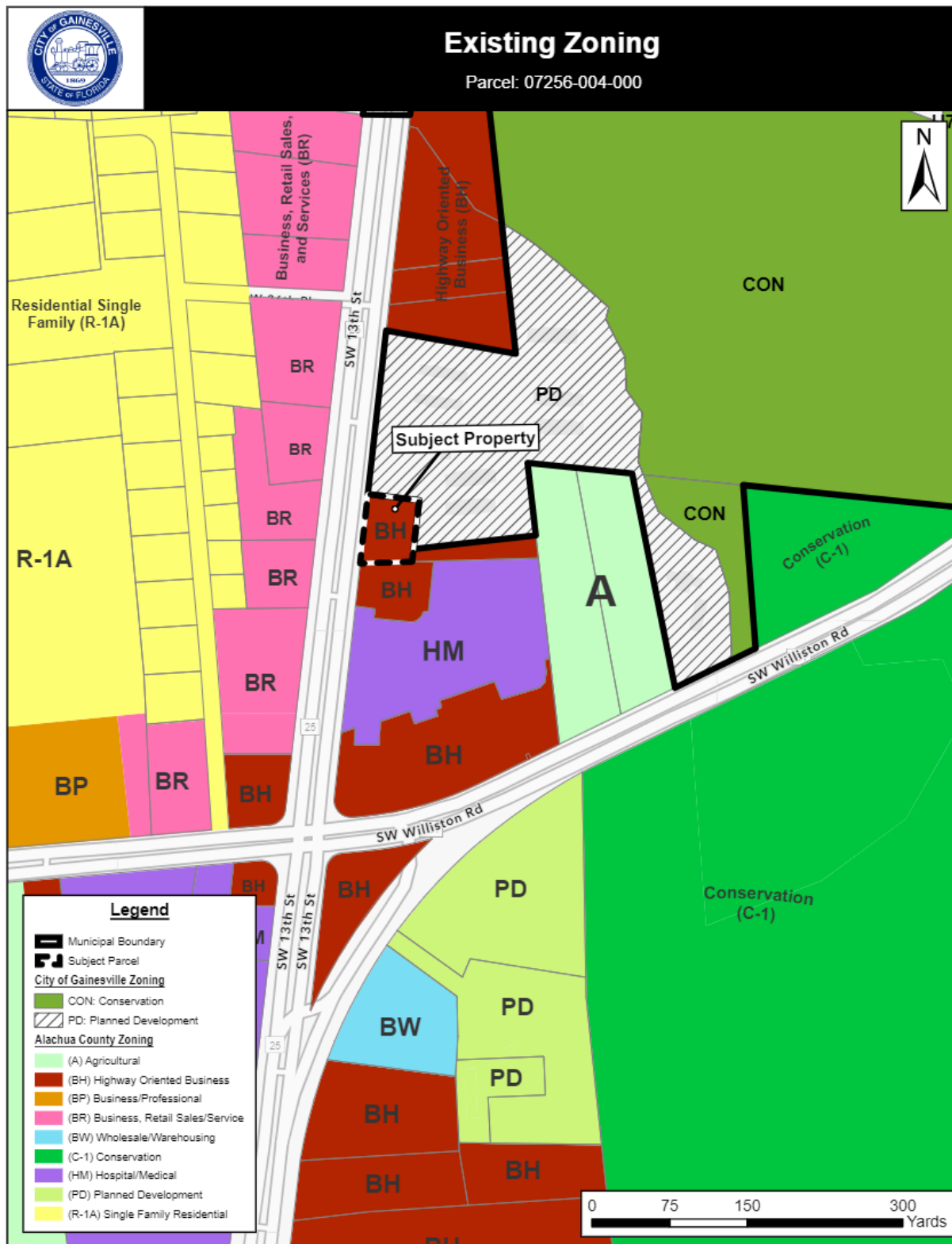
Map:1 Existing Land Use: Alachua County Commercial



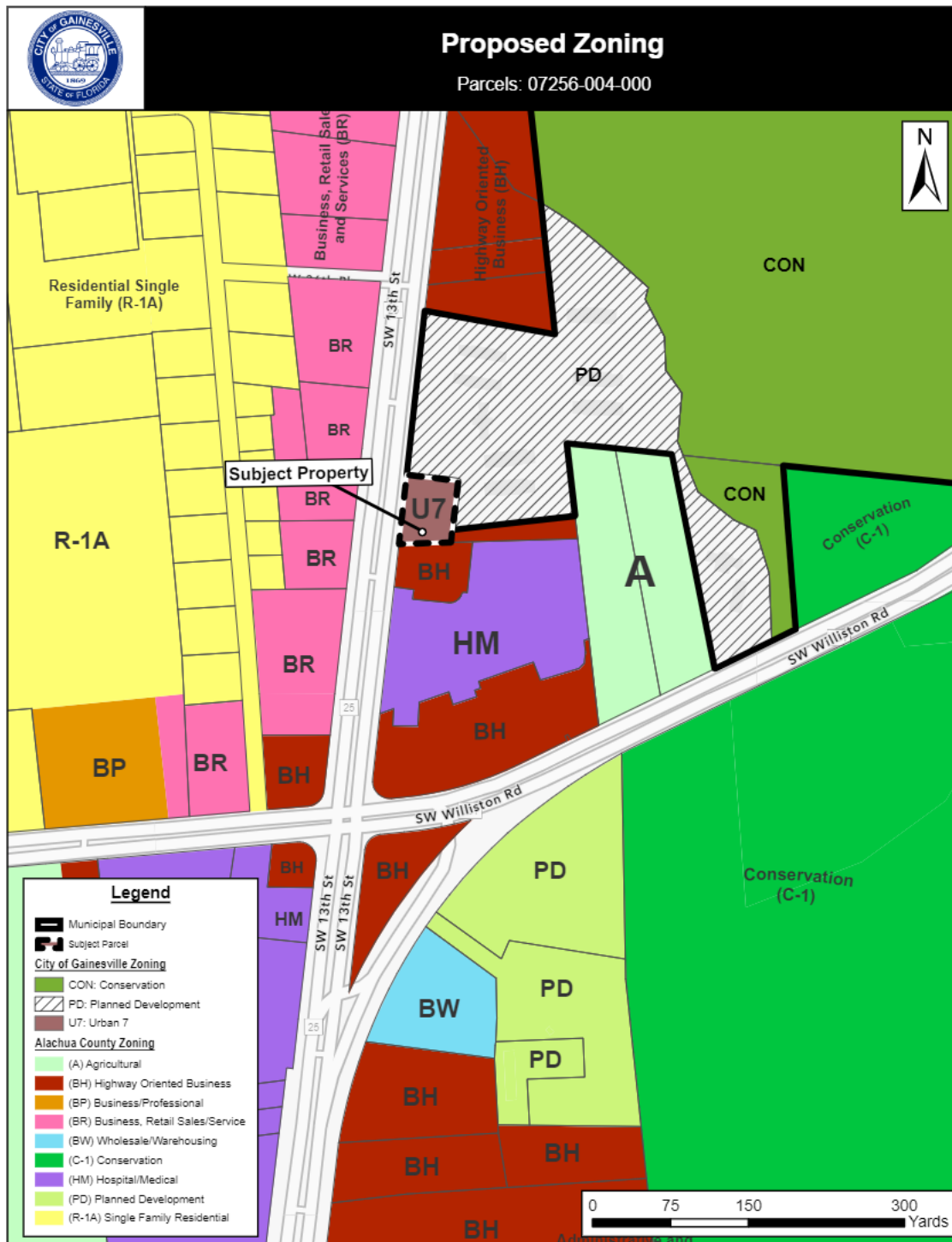
Map 2: Proposed Land Use: Urban Mixed Use (UMU)



Map 3: Existing Zoning: Alachua County Highway Oriented Business (BH)



Map 4: Proposed Zoning: Urban Transect Zone U7



APPENDIX C: Notification





