



# MEMORANDUM

Office of the City Attorney

Registar No. 040758

Phone: 334-5011/Fax 334-2229  
Box 46

TO: Mayor and City Commission

DATE: July 25, 2005  
FIRST READING

FROM: City Attorney

SUBJECT: Ordinance No. 0-05-47; Petition 195TCH-04 PB  
An ordinance of the City of Gainesville, Florida, establishing the Special Area Plan Overlay Zoning District for an area within the Plan East Gainesville urban area hereafter known as the Five Points Area; adopting a special area plan for this area; providing specific regulations; providing directions to the codifier; providing a severability clause; and providing an immediate effective date.

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Recommendation: The City Commission (1) approve Petition No. 195TCH-04 PB and (2) adopt the proposed ordinance.

COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT

This petition proposes to establish a new special area plan overlay zoning district to partly implement Plan East Gainesville (PEG), a Plan which was approved by the City of Gainesville and Alachua County in 2003.

The highlight strategy articulated by PEG was the “need for focused development and a signature project created in a manner that supports existing residents and local businesses, and leverages private investment.” The primary foundation for attaining this leverage is to establish a special area plan to “provide a tiered land use framework to organize land uses in a way that supports the vision. It focuses on the creation of compact, walkable, mixed-use centers...”

PEG concludes by stating that “providing an appropriate land use mixture is not sufficient to create a walkable, transit-supportive community. The design characteristics of an area are a significant determinant of how the area will function.” PEG goes on to find that “one of the primary challenges facing East Gainesville is the lack of a definable focal point, or center of activity...the area is largely without a strong organizing structure of land use patterns that promote civic pride and attract private investment...such a critical mass [derived from a definable center] can contribute to increases in property values, which, in turn, results in additional revenue for capital improvements. A lack of gathering places also limits the effectiveness of public transportation to meet people’s daily needs, and contributes to an inconvenient and potentially unsafe pedestrian environment. These problems must be overcome if East Gainesville is to reach its potential. The purpose of the PEG design guidelines is to articulate the desirable urban form that promotes a pedestrian scale of development and improved accessibility to public transportation. The design guidelines are intended to encourage new development to meet community expectations in terms of the vision for walkable, mixed-use centers that enhance the character of the area and provide increased opportunities for economic activity and destinations that serve local residents...as such, the design focus in each area will vary. For example, one objective is to strengthen the connection of East Gainesville’s urban center at Five Points to Gainesville’s successful redevelopment efforts in the downtown

central business district. In the suburban district, the design standards need to reflect the strong regional roadway network that supports economic development opportunities near the Gainesville Regional Airport...in the rural area, clustered development of residential with neighborhood, or ecotourism uses, can help balance a diversity of housing stock with maintenance of natural lands.”

One important step in the process of implementing PEG is to revise City Development Regulations.

This petition proposes to do that by establishing a new regulatory framework for East Gainesville. Ultimately, the City may wish to consider targeted rezonings and land use changes to further assist in the achievement of objectives and policies called for by PEG—in particular, the incremental rezoning to mixed-use and higher density in and near Five Points.

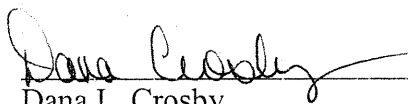
Public notice was published in the Gainesville Sun on January 4, 2005. The Plan Board held a public hearing January 20, 2005 and March 17, 2005. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 195TCH-04 PB. Plan Board vote 6-0.

#### CITY ATTORNEY MEMORANDUM

Petition 195TCH-04 PB, as heard by the Plan Board, contained the regulation/requirements for this special area plan, as well as the property to be included in the special area plan. This ordinance, if adopted, states the regulation for the area. A separate ordinance (ordinance 0-05-69) will impose the zoning on the properties to be included in the special area plan. Both ordinances require two public hearings. Should the Commission adopt the ordinance on first reading, the second and final reading will be held on Monday, August 8, 2005.

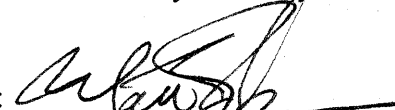
Fiscal Note: None

Prepared by:



Dana L. Crosby  
Assistant City Attorney II

Approved and  
Submitted by:



Marion J. Radson,  
City Attorney

MJR:DLC:sw

ORDINANCE NO. 0-05-47

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**An ordinance of the City of Gainesville, Florida, establishing the Special Area Plan Overlay Zoning District for an area within the Plan East Gainesville urban area hereafter known as the Five Points Area; adopting a special area plan for this area; providing specific regulations; providing directions to the codifier; providing a severability clause; and providing an immediate effective date.**

**WHEREAS**, the City Plan Board authorized the publication of notice of a Public Hearing that the text of the Land Development Code of the City of Gainesville, Florida, be amended; and

**WHEREAS**, notice was given and publication made as required by law and Public Hearings were then held by the City Plan Board on January 20, 2005 and March 17, 2005; and

**WHEREAS**, the City Commission finds that the Special Area Plan is consistent with the City of Gainesville 2000-2010 Comprehensive; and

**WHEREAS**, pursuant to law, an advertisement no less than 2 columns wide by 10 inches long was placed in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the Auditorium of City Hall in the City of Gainesville, at least 7 days after the day the advertisement was published; and

**WHEREAS**, a second advertisement no less than 2 columns wide by 10 inches long was placed in the same newspaper notifying the public of the second Public Hearing to be held at the adoption stage at least 5 days after the day this advertisement was published; and

1           **WHEREAS**, the Public Hearings were held pursuant to the published notices  
2 described at which hearings the parties in interest and all others had an opportunity to be  
3 and were, in fact, heard;

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

6           **Section 1.** The Five Points Special Area Plan (Exhibit A) is hereby adopted. The  
7 specific regulations of the Special Area Plan and the administration and enforcement of  
8 these regulations as delineated in Exhibit A shall control and guide the development and  
9 use of the properties that are rezoned to this overlay district category, except as to any  
10 construction, development or use initiated pursuant to any valid building permit or  
11 approved development plan issued or approved before the effective date of this  
12 ordinance.

13           **Section 2.** It is the intention of the City Commission that the provisions of The  
14 Five Points Special Area Plan (Exhibit A) adopted by this ordinance shall become and be  
15 made a part of Land Development Code of the City of Gainesville, Florida, and that the  
16 Sections and Paragraphs of this ordinance may be renumbered or relettered in order to  
17 accomplish such intentions.

18           **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to  
19 be invalid or unconstitutional by any court of competent jurisdiction, then said holding  
20 shall in no way affect the validity of the remaining portions of this ordinance.

21           **Section 4.** This ordinance shall become effective immediately upon final  
22 adoption.

# DRAFT

6-29-05

1 PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2005.  
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8 \_\_\_\_\_  
9 PEGEEN HANRAHAN  
10 MAYOR

11  
12 ATTEST:

Approved as to form and legality

13  
14  
15 \_\_\_\_\_  
16 KURT M. LANNON  
17 CLERK OF THE COMMISSION

\_\_\_\_\_

MARION J. RADSON  
CITY ATTORNEY

18  
19 This Ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2005.

20 This Ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2005.

**Exhibit A. Special Area Plan**  
**Five Points Area**

**Special Area Plan for the Five Points Area**

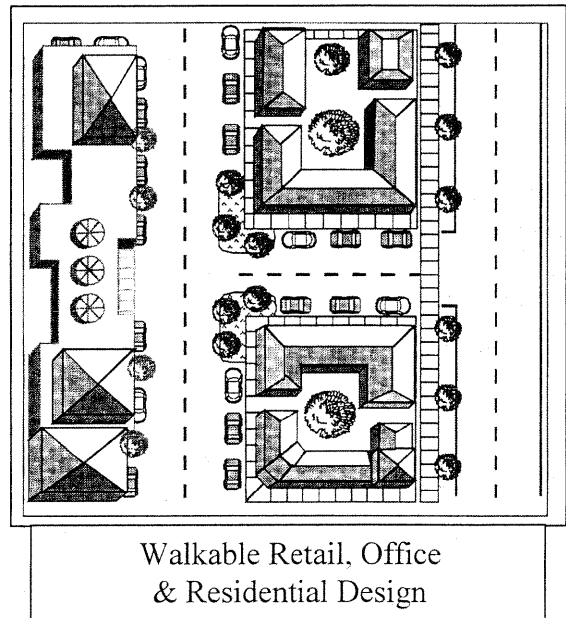
**(a) Purpose.** The Special Area Plan for the Five Points Area within Plan East Gainesville is hereby established. The purpose of this plan is to accommodate redevelopment of the Five Points Town Center that will gradually transform the Center using high-quality urban design.

**(b) Background.**

With this Special Area Plan, the City calls for the retrofitting of the Five Points area to function as a neighborhood center. By doing so, retail and residential projects can effectively set themselves apart from more conventional developments in other parts of the urban area, and therefore have a better chance of retail and residential success. The conceptual drawing shown is an example of how retail, office and residential would generally look when following the regulations specified below for Five Points—that is, new buildings would be pulled up towards the street and sidewalk.

**(c) Objectives.** The provisions of this plan are intended to accommodate redevelopment of the Five Points area to:

- (1) Promote the development of both residential and non-residential development.
- (2) Ensure that design gradually creates improved transit and retail health.
- (3) Create and maintain a connected grid of internal streets.
- (4) Encourage community-serving public gathering facilities such as schools, libraries, residential, recreation centers, and child care, and public spaces with strong design features, such as water, benches, and public art.



**(d) Effect of Classification.** This Special Area Plan is applied as an Overlay Zoning District. It shall operate in conjunction with any underlying zoning district in this area. The regulations of the underlying zoning district, and all other applicable regulations remain in effect and are further regulated by the Special Area Plan. If provisions of the Special Area Plan conflict with the underlying zoning, the provisions of the Special Area Plan shall prevail except as to uses inconsistent with the underlying zoning district or land use element of the comprehensive plan.

**(e) Definition.**

Build-to line. The line at which construction of a building facade is to occur on a lot. A build-to line runs parallel to the front property line and is established to create an even (or more or less even) building facade line on a street.

**(f) Regulations.**

1. **Disposition of New and Renovated Buildings.** New buildings constructed within the Five Points Area shall have a build-to line of 15 to 35 feet from the curb or edge of pavement. Government office buildings may have a build-to line up to 60 feet to allow assembly/open space, as long as at least 50 percent of the building facade is built at the required build-to line. There is no required side setback. There is no minimum lot width.

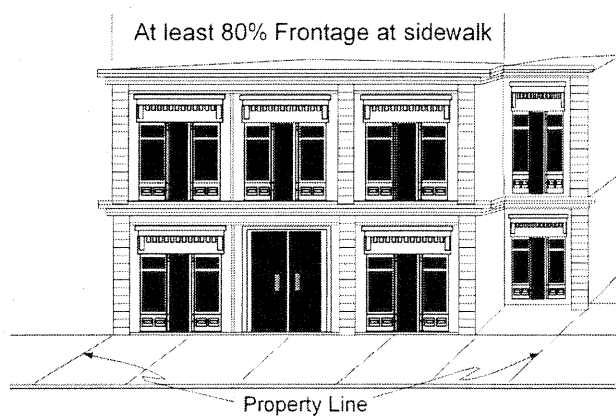
2. **Building Orientation and Articulation.** The primary building entrance shall face the street, and the primary building shall be at least 2 stories high. The first floor of new buildings shall have at least 30 percent transparent glazing. No more than 20 horizontal feet of unarticulated blank wall is allowed

3. **Building Alignment.** Buildings shall be aligned, when possible, to frame squares, streets, plazas or other forms of a pleasant public realm. Buildings shall be aligned parallel to the streetside sidewalk and adjacent buildings, instead of being rotated.

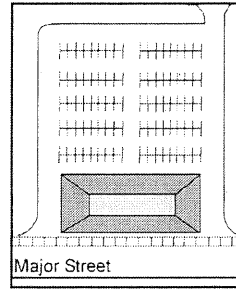
4. **Minimum Building Frontage.** At least 80 percent building frontage is required.

5. **Connections.** When possible, cross-access between adjacent properties shall be established in order to encourage travel choices to nearby developments and neighborhoods.

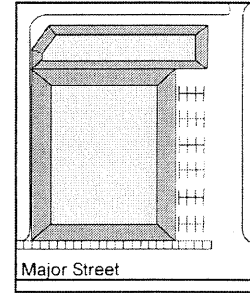
6. **Sidewalks.** All front building facades shall front a sidewalk. The sidewalk shall be wide enough to permit 5 feet of clear width, street trees in sidewalk wells, and sidewalk furniture. Arcades, balconies, porches, stoops, and bay windows are encouraged and may occur forward of the build-to line.



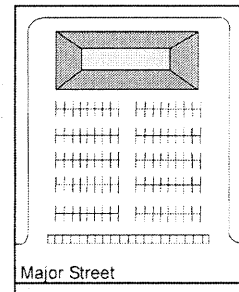
- 1 7. **Parking.** Parking shall be provided as required by the Gainesville Land Development
- 2 Code. Off-street parking shall be to the rear or side of buildings. Multi-story parking
- 3 structures are permitted and shall be fronted by liner buildings having retail or office
- 4 space.
- 5 8. **Residential use above retail and offices.** Residential dwelling units located above
- 6 retail space and office space are permitted.
- 7 9. **Prohibited Uses.** Table 1 shows uses not allowed in Five Points.



This



This



Not This



*Table 1. Prohibited Uses in Five Points*

Auto Dealers, Auto Service and Limited Auto Service (IN-5511, MG-753)
Carwashes (IN-7542)
Gas Service Stations (IN-5541)
Parking Lots as a principal use, other than structured parking.
Outdoor Storage as a principal use
Gasoline Pumps when accessory to a food store
Drive-thru

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# *City of Gainesville*

## Inter-Office Communication

Planning Division  
X5022, FAX x2282, Station 11

### Item No. 1

**TO:** City Plan Board

**DATE:** March 17, 2005

**FROM:** Planning Division Staff

**SUBJECT:** Petition 195TCH-04 PB. City of Gainesville. Implement Plan East Gainesville by adopting a new overlay zoning district (SAP) containing special land development regulations.

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### **Recommendation**

Staff recommends approval of Petition 195TCH-04 PB.

### **Explanation**

The City Plan Board originally heard and approved this petition at their November 18, 2004 meeting. This petition is being re-heard because there was a notification oversight for the November meeting.

This petition proposes to establish a new special area plan overlay zoning district to partly implement Plan East Gainesville (PEG), a Plan which was approved by the City of Gainesville and Alachua County in 2003.

The highlight strategy articulated by PEG was the “need for focused development and a signature project created in a manner that supports existing residents and local businesses, and leverages private investment.” The primary foundation for attaining this leverage is to establish a special area plan [or “detailed master plan” – pg. 84] to “provide a tiered land use framework to organize land uses in a way that supports the vision. It focuses on the creation of compact, walkable, mixed-use centers...” [pg iv]

PEG concludes by stating that “providing an appropriate land use mixture is not sufficient to create a walkable, transit-supportive community. The design characteristics of an area are a significant determinant of how the area will function.” [pg 106] PEG goes on to find that “one of the primary challenges facing East Gainesville is the lack of a definable focal point, or center of activity...the area is largely without a strong organizing structure of land use patterns that promote civic pride and attract private investment...such a critical mass [derived from a definable center] can contribute to increases in property values, which, in turn, results in additional revenue for capital improvements. A lack of gathering places also limits the effectiveness of public transportation to meet people’s daily needs, and contributes to an inconvenient and potentially unsafe pedestrian environment. These problems must be overcome if East Gainesville is to reach its potential. The purpose of the PEG design guidelines is to articulate the desirable urban form that promotes a pedestrian scale of development and improved accessibility to public transportation. The design guidelines are intended to encourage

new development to meet community expectations in terms of the vision for walkable, mixed-use centers that enhance the character of the area and provide increased opportunities for economic activity and destinations that serve local residents...as such, the design focus in each area will vary. For example, one objective is to strengthen the connection of East Gainesville's urban center at Five Points to Gainesville's successful redevelopment efforts in the downtown central business district. In the suburban district, the design standards need to reflect the strong regional roadway network that supports economic development opportunities near the Gainesville Regional Airport...in the rural area, clustered development of residential with neighborhood, or ecotourism uses, can help balance a diversity of housing stock with maintenance of natural lands." [Design Guidelines: Introduction]

### **Adopted Gainesville Comprehensive Plan**

The City amended the Gainesville Comprehensive Plan early in 2004 to incorporate objectives and policies called for by PEG (PB approval 11/20/03. CC adoption 4/26/04). These adopted policies are as follows:

Policy 2.1.5 The City shall strive to implement certain land use-related elements of Plan East Gainesville, including but not limited to:

- a. Establishing a three-tiered land use transect for east Gainesville to transition land development regulations from urban to suburban to rural;
- b. Coordinating with Alachua County in its development of a strategy for the Alachua County fairgrounds for creation of a mixed-use employment center; and
- c. Coordinating with Alachua County and the Tourist Development Council to evaluate the site east of Fred Cone Park as a potential cultural or recreational center to be compatible with the existing uses at Cone Park.

One important step in the process of implementing PEG is to revise City Development Regulations.

PEG clearly states that one size does not fit all, as noted in Policy 2.1.5(a) above. Development regulations, according to PEG, need to be tailored for 3 types of land uses: Urban, Suburban, and Rural. Each area needs its own set of regulations. [pg. iv., 9-10, 44-47, Design Guidelines 1-7]

This petition proposes to do that by establishing a new regulatory framework for East Gainesville. Ultimately, the City may wish to consider targeted rezonings and land use changes to further assist in the achievement of objectives and policies called for by PEG—in particular, the incremental rezoning to mixed use and higher density in and near Five Points.

### **Proposed East Gainesville Land Development Regulation Framework**

#### **East Gainesville Urban**

To create the walkable, mixed-use, pedestrian-oriented design called for by PEG, staff recommends establishing a customized version of the existing, pedestrian-oriented regulations established for downtown Gainesville in the Traditional City ordinance in the Five Points area of

East Gainesville. This is the area recommended by PEG to become the walkable town center for East Gainesville.

Note that staff is recommending that this area be expanded somewhat to capture a few blocks of retail to the west of Five Points, as is shown in the attached map.

### East Gainesville Suburban

Outside of Five Points, but within city limits, the City should maintain the status quo by continuing to apply the City land development regulations that currently apply there.

### East Gainesville Rural

In unincorporated East Gainesville, the existing, more rural Alachua County land development regulations should be maintained.

See attached map of these three zones.

### Special Area Plan for Five Points

(a) **Purpose.** The purpose of this plan is to accommodate redevelopment of the Five Points Town Center that will gradually transform the Center using high-quality urban design.

(b) **Background.**

With this Special Area Plan, the City calls for the retrofitting of the Five Points area to function as a neighborhood center. By doing so, retail and residential projects can effectively set themselves apart from more conventional developments in other parts of the urban area, and therefore have a better chance of retail and residential success. The conceptual drawing shown in Figure 1 is an example of how retail, office and residential would generally look when following the regulations specified below for Five Points—that is, new buildings would be pulled up towards the street and sidewalk.

(c) **Objectives.** The provisions of this plan are intended to accommodate redevelopment of the Five Points area to:

- (1) Promote the development of both residential and non-residential development.
- (2) Ensure that design gradually creates

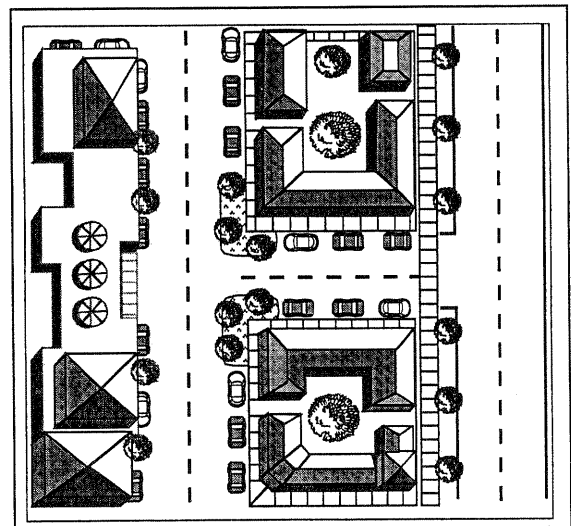


Figure 1. Walkable Retail & Residential Design

improved transit and retail health.

- (3) Create and maintain a connected grid of internal streets.

(d) **Effect of Classification.** This Special Area Plan is applied as an Overlay Zoning District. It shall operate in conjunction with any underlying zoning district in this area. The regulations of the underlying zoning district, and all other applicable regulations remain in effect and are further regulated by the Special Area Plan. If provisions of the Special Area Plan conflict with the underlying zoning, the provisions of the Special Area Plan shall prevail.

(e) **Definitions.**

*Build-to line.* The line at which construction of a building facade is to occur on a lot. A build-to line runs parallel to the front property line and is established to create an even (or more or less even) building facade line on a street.

(f) **Regulations.**

1. **New and Renovated Buildings.** New buildings constructed in the Five Points area shall have a build-to line of 10 to 50 feet from the curb or edge of pavement. Government office buildings may have a build-to line up to 60 feet to allow assembly/open space, as long as at least 50 percent of the building facade is built at the required build-to line. There is no required side setback. The primary building entrance shall face the street, and the primary building is encouraged to be at least 2 stories high. Buildings shall be aligned, when possible, to frame squares, streets, plazas or other forms of a pleasant public realm. The first floor of new buildings shall have at least 30 percent transparent glazing. No more than 20 horizontal feet of unarticulated blank wall is allowed. Buildings shall be aligned parallel to the streetside sidewalk and adjacent buildings, instead of being rotated. There is no minimum lot width. At least 80 percent building frontage is required.
2. **Connections.** When possible, cross-access between adjacent properties shall be established in order to encourage travel choices to nearby developments and neighborhoods.
3. **Sidewalks.** All front building facades shall front a sidewalk. The sidewalk shall be wide enough to permit 8 feet of clear width, street trees, and sidewalk furniture. Arcades, balconies, porches, stoops, and bay windows are encouraged, and may occur forward of the build-to line.
4. **Parking.** Parking shall be provided as required by the Gainesville Land Development Code. Off-street parking shall be to the rear or side of buildings. Multi-story parking structures are encouraged and shall be fronted by liner buildings having retail or office.
5. **Accessory Dwelling Units.** Granny flats, accessory dwelling units, and residences above shops and offices are encouraged.
6. **Uses.** The ultimate intent of the Five Points area is mixed use, allowing both residential and non-residential uses both vertically, when allowed by zoning, and horizontally. Over time, incremental rezonings from single-use zoning districts to mixed use zoning districts will be encouraged when opportunity arises in and near Five Points. The Five Points area shall not

contain auto-oriented uses, as listed in Table 1, or uses that generate significant noise, odor, visual blight or dust.

7. **Additional Encouraged Uses and Features.** Community-serving public gathering facilities such as schools, libraries, residential, recreation centers, and child care are encouraged, as are public spaces with strong design features, such as water, benches, and public art.

**Table 1. Prohibited Uses in Five Points**

Auto Dealers, Auto Service and Limited Auto Service (IN-5511, MG-753)
Carwashes (IN-7542)
Gas Service Stations (IN-5541)
Parking Lots as a principal use, other than structured parking
Outdoor Storage as a principal use
Gasoline Pumps when accessory to a food store
Drive-through's

### **Non-Regulatory PEG Policies**

A number of PEG policies will not be achieved by the revisions called for by this petition. Retrofitting low-speed street geometries and connections; enhancing bus service; establishing public greenways; enhancing utility services; acquiring land; making stormwater improvements; adopting a marketing program; establishing various social programs; and removing travel lanes on East University Avenue will not be attained by revising land development regulations.

For example, the Transportation Mobility Element contains this policy:

- Policy 1.1.13 The City shall strive to implement transportation-related aspects of Plan East Gainesville, including but not limited to:
- a. Coordinating with the MTPO to establish a Bus Rapid Transit system connecting east Gainesville with centers of employment and commerce.
  - b. Coordinating with the MTPO and Alachua County to extend East 27<sup>th</sup> Street from University Avenue to NE 39<sup>th</sup> Avenue;
  - c. Coordinating with the MTPO and FDOT to narrow and enhance University Avenue between East 15<sup>th</sup> Street and East 27<sup>th</sup> Street;
  - d. Coordinating with the MTPO and FDOT to modify Waldo Road from NE 16<sup>th</sup> Avenue to SE 4<sup>th</sup> Avenue so that this section of road becomes a low-speed, urban gateway boulevard; and
  - e. Include in the transportation network provisions for bicyclists, transit users, and pedestrians on NE 15<sup>th</sup> Street, East University Avenue, Main Street, and NE 8<sup>th</sup> Avenue, where applicable.

City Plan Board  
Petition 195TCH-04 PB  
March 17, 2005

**Recommendation**

Establish three tiers for land development regulations pertaining to Plan East Gainesville, as outlined above.

Respectfully submitted,



Ralph Hilliard  
Planning Manager

DM:DN

**Attachments**

Map of Zones in East Gainesville

Appendix A: Highlights of articles describing the merits of PEG strategies



## **Appendix A**

### **Bob Gibbs**

Gibbs Planning Group PO Box 366 Harbor Springs, Michigan 49740 248.642.4800

7/22/03

Its time for the new urbanist to declare victory on the retail front. The industry now prefers street/lifestyle retail over strip center retail because it is more profitable. Two level stores, front and back doors are all common for many national retailers. Parking ratios have been reduced to below 4.0/1000 overall by most retail developers. Sears, Target, Kohls, even Walmart are seeking urban locations or when not available (mostly due to politics), suburban lifestyle sites. ICSC [International Council for Shopping Centers] research has proven that street retail often results in higher sales, more shopper visits and higher levels of spending per minute than regional shopping malls. There is nothing wrong with shopping centers making money. In fact, when mixing residential and office with retail, successful retail is a must, if the other land uses are to maintain value. Who really wants to live above wig shops and uniform stores?

The market has now accepted many [new urbanist] design and planning principals. Even though the first wave of street retail is being poorly implemented. Office, residential and civic uses are missing in many lifestyle centers because of close-minded local planning boards and outdated zoning codes that do not allow for the mixing of land uses and high densities of mixing land uses. Retail centers still need to be anchored by successful department stores including the much-hated discount stores. This is not to say that we should avoid local independent retailers. They are wonderful. However, they will not be able to keep evening or weekend hours, and typically can't pay market rents.

We cannot continue to pretend that national tenants are evil. In fact, national retailers are preferred by most shoppers and are a must for most retail centers to compete in the long run. The whole retail industry needs experienced new urban architects and planners, who appreciate the power good urbanism. Presently, most lifestyle centers are being designed by mall architects, who still believe that "over the top" building elevations are needed, as they are with strip shopping centers that lack streets. Fighting the name of the retailer on the store-front is counter-productive, and really a waste of time. Tenants will come and go. Planning and designing quality urbanism is what counts.

Let's declare victory and implement a Marshall Plan to rebuild the battlefield. Developers need planning techniques that work. New urbanists need to accept modern formats, push for workable codes to allow for mixed use, and accommodate retailers used by the masses.

### **Emerging Trends in Real Estate—1998**

"Emerging Trends" is a highly respected, predictive, annual report originally prepared by ERE Yarmouth and Real Estate Research Corporation (ERE Yarmouth is the largest manager of real

estate for pension funds in the U.S.). In 2004, the report was being prepared by PricewaterhouseCoopers and the Urban Land Institute, and is now based on consensus outlook from interviews of over 350 real estate investment experts in America.

\*Some suburban residents grow increasingly exasperated about the time spent trapped in their cars. "Even on Saturdays it's getting impossible to go anywhere." Malls and office parks in congested areas feel the pinch.

\*Many people just want to be closer to work, coveting a 24-hour lifestyle...traditional neighborhood residential developments (TNDs) are gaining favor because homes are planned around town centers, with parks and stores in easy walking distance (these projects actually have sidewalks).

\*Regions that ignore the need to provide alternatives to the automobile will become increasingly troubled, especially in their suburbs.

\*Watch many 50-year old boomers, with or without aching backs, start returning to 24-hour cities for shorter commutes and easier-to-care-for apartments...

\*It's the age-old concept of living in a town setting, which suddenly has renewed attraction for an increasing number of American suburban dwellers—people who find themselves dependent on a car to go anywhere or do anything...a growing number who think their lifestyle is becoming more difficult and less appealing. And for the first time they're beginning to consider alternatives.

\*...cities are providing what many suburbs are struggling to retain—a convenient and appealing lifestyle.

\*...convenience is a must and people want the 24-hour model. They want proximity to work, proximity to the demands of life and to the things they want to do. They want convenience.

\*The 24-Hour Model:

The best cities to invest in have:

--Attractive neighborhoods rooted in and around business districts. "Strong residential is a must."

--A multidimensional environment—entertainment, museums, theater, restaurants, activity day & night.

--Convenient shopping—supermarkets, drug stores and other neighborhood merchants within walking distance in addition to area department and specialty stores.

--Relative safety and security.

--Established mass transportation modes to move people in and out as well as around the city.

The antithesis of the 24-hour city is the 9-to-5 downtown. Typically without strong residential fundamentals, its core empties out after the workday is over. Few people visit or stay in these

downtowns at night or on the weekend. Generally, they have lost or are losing retail businesses, have few entertainment or cultural attractions, and often are perceived as “unsafe” after dark.

\*Emerging Trends predicts the next quarter century will be kinder to cities and harder on some suburban areas, especially for investors.

### **Emerging Trends in Real Estate—1999.**

\*As expected, the traditional 24-hour core cities dominate the list of favored markets as the real estate cycle enters a period of greater stability and equilibrium. Past forecasts have touted these markets as the best places to invest in because of their strong residential fundamentals and multifaceted environments, including mass transportation alternatives to the car.

\*Emerging Trends has said it before, but it bears repeating: People want to live closer to where they work and play. Hectic lifestyles demand convenience. Golfers may gravitate to more suburban locations, and art collectors and restaurant lovers to the city. Whatever the orientation, commercial real estate markets will thrive if they have attractive adjacent residential districts. Areas cut off from good neighborhoods, or showing residential deterioration, will suffer and should be avoided.

\*Until recently, the consequences of suburban sprawl were “far enough off on the horizon” that the average investor neither cared nor thought seriously about them. That indifference is changing. The demographic shift generated in the years following World War II has left half of the U.S. population living in suburban areas. America is dominated by a culture of single-family homes, lawns, and endless shopping strips, punctuated by turning lanes, gasoline stations, and blacktop parking lots. Many cities—particularly Sunbelt agglomerations like Atlanta, Dallas, Houston, Phoenix, and all of Southern California—have actually lost their original urban cores.

\*...the “renaissance of the cities” and the rising distress in some suburbs rest as much on sound planning or the lack of it as on the health of the economy. Cities still benefit from the street grids and mass transportation systems put in place more than a century ago. Suburbs struggle because they have let developers run amok, oblivious to traffic growth, sewer system capacity, or even recreational needs. Regional cooperation is often nonexistent as counties, towns, and villages fight with one another to attract commerce, federal handouts, and developers. In many areas you need a car to get anywhere or do anything—from buying a quart of milk to jogging.

\*People are coming to understand that without strong urban cores, areas will ultimately founder. Increasingly, better suburban areas look like smaller versions of traditional cities, featuring attractive neighborhoods, easily accessible retail and office districts, and mass transportation alternatives to the car. Local government officials are focusing more on sidewalks and parks than on parking lots. In fact, successful suburbs actually are mini urban cores, following the time-tested models. In the suburban agglomerations, it’s the urbanizing centers like Buckhead in Atlanta or Ballston, Virginia, outside of Washington, that will be the glue holding these areas together. These places aren’t “edge cities.” They’re cities and 24-hour markets in their own right and they are the best places in the suburban mix to invest in.

\*Admittedly, in the past most investors and developers were more interested in short-term gains than in what sprawl would mean for a district long after they had cashed out. But as an Atlanta respondent pointed out, they are now being forced to deal with the consequences. For the future, building apartment complexes and office towers near suburban subway stops will make more sense than erecting gated townhouses or office parks off the next interstate exit. In fact, Fannie Mae, the federally chartered mortgage corporation, has begun a pilot program to give larger mortgages to families living near mass transit lines [“Location-Efficient Mortgages”]. Refurbishing infill retail districts will create more value than slapping up another supermarket strip on the way to exurbia. “For the real opportunities today,” says an interviewee, “look at obsolescent properties in excellent locations as land plays. You knock what’s there down and start over.” Successful metropolitan areas will be those that redevelop and strengthen existing neighborhoods and districts, integrating residential with commercial and recreational uses, rather than expanding and diffusing resources outward.

### **Emerging Trends in Real Estate—2002.**

“Interviewees have come to realize that properties in better-planned, growth constrained markets hold value better in down-market and appreciate more in up-cycles. Areas with sensible zoning (integrating commercial, retail, and residential), parks and street grids with sidewalks will age better than places oriented to disconnected cul-de-sac subdivisions and shopping strips navigable only by car.”

### **Emerging Trends in Real Estate—2003.**

\* Familiar problems — catalogued in past Emerging Trends— persist in many suburban markets, contributing to less-satisfying lifestyles and potentially more compromised environments for businesses and property owners. They include:

- Traffic congestion and car dependency (pedestrians are an endangered species).
- Lack of planning that would integrate retail, office, and residential districts (adjacent subdivisions and shopping centers aren’t connected).
- Banal commercial strips and gasoline alleys (“if you’ve seen one, you’ve seen them all”)
- Regional infighting and ruinous competition for tax base among local governments

\* As sprawl proceeds and families stream into new subdivisions, these issues become more severe. Except within urbanizing subcity nodes and better infill locations, suburban properties are hostage to random development pressures, becoming little more than commodity investments over time. Increasingly, local governments and developers realize “they must create enduring main streets and real places” which at least mimic 24-hour environments. Not only are many suburbs “not cool anymore,” they also “don’t work” very well.

### **Emerging Trends in Real Estate—2004.**

\* Traffic congestion and sprawl encourage “the move back in.” Underutilized, inner-suburban-ring retail is ripe for mixed-use makeovers, including large residential components. Main Street concepts based on new urbanist planning can resurrect dead malls and provide a shot in the arm to struggling communities.

\* Denver and Houston take encouraging steps to refashion their downtowns into more multifaceted 24-hour cores—both featuring growing, though small, residential components. In fact, efforts to revive once-moribund nine-to-five downtowns like these—redeveloping empty office space into loft apartments, turning parking lots into parks, and transforming gloomy side streets into neighborhood shopping districts—will become a major driver of development activity in the next decade. Dallas and Phoenix will need to follow the example.

\* Baby boomers continue to influence market trends as they shy away from suburban perimeters and look back toward the urban cores. In the 1970s and 1980s, boomers extended the suburban envelope, raising families en masse in single-family expanses close to good schools and far from big-city problems. Now, some “front-end” empty nester boomers (in their late 50s) are trading those roomy split-levels for more manageable urban condominiums. Not coincidentally, urban life has become more attractive—cities are cleaner and safer, and “there’s a lot more to do than in your sleepy backyard.” That means more high-rise apartments... Baby boomer offspring, the generation X crowd, seek jobs and action closer to city centers, too, pushing demand for rental apartments near urban nodes.

\* “Areas that stand the test of time are generally the older towns with street grids and retail centers.” Convenience counts: walkable communities near mass transit hubs “have caught on,” and smart-growth projects—which emulate traditional town centers—enjoy increasing success. “If people like it, the market will push its growth,” says an interviewee. “Smart growth is better than dumb growth, and it’s about to become more predominant.” It responds to what people are most concerned about—“quality of life and the environment.”

\* The confluence of the “move back in” trend, growth controls that limit new construction, and suburban degeneration have refocused developer and investor attention squarely on infill opportunities. While Emerging Trends interviewees give overall development prospects an anemic 3.5 on a rating scale of 0 (terrible) to 10 (excellent), they award a healthy 5.9 to infill redevelopment.

\* The best infill results occur when large properties—forslorn greyfield malls or abandoned industrial sites, for example—can be developed into pedestrian-friendly, mixed-use residential neighborhoods that include town center retail, parks, and even schools. These tracts can be leveled and builders can start from scratch without trampling on existing neighborhoods. “Local government needs to mitigate the risk for investors and developers and provide greater tax incentives.” The future

payback in restored tax base can be immense. “But developers will need to work more cooperatively with local governments” to take advantage of these opportunities.

\* “We’re only in the first chapter of the changeover from growth and sprawl to infill and mixed use,” says an interviewee...Rehabbing underused nine-to-five downtowns and other urban infill will also move to center stage for developers.

\* Listed below are the best of a thin selection of development opportunities mentioned by interviewees:

- For-sale housing in downtown and infill locations, including condominium conversions, loft rehabs, townhouses, and adaptive use projects.
- Low- and moderate-income apartments as well as tax credit housing in urban areas and inner-ring suburbs. Demand builds as housing shortages persist for low-wage service workers and immigrant families.
- Brownfield restoration: “Litigation issues have been identified, and brownfields can be underwritten with greater confidence. Risk has been reduced and is more quantifiable.” Old infill industrial sites make excellent candidates for town center housing.
- Master-planned community development with town center features and design based on new urbanism and smart-growth principles—pedestrian-friendly neighborhoods, open space, and main street retail.
- Student housing in university areas.

\* Malls were the 1960s and 1970s; Main Street is back-to-the-future in the new century. Lifestyle centers supplant obsolescent space in more affluent infill locations. Ghost malls make prime targets for mixed-use redevelopment—mostly apartment, townhouse, and single-family, with neighborhood retail to serve residents.

#### **From the Data & Analysis Report of the Gainesville Urban Design Element 2000:**

- Robert Gibbs reports that many developers of conventional “power centers” are now creating places to mimic urban main streets due to the impressive retail sales being found in such retrofits. And when there is not a place nearby that features such urban, people-friendly amenities, a retrofitted center can out-compete other retail centers.

#### **Mall Over. 7/98. Urban Land.**

- Gibbs sees the planned conversion of Eastgate [Mall in Chattanooga TN] from a mall to part of a mixed-use town center as an example of a new category of shopping center—a hybrid of a main street and a mall—that is beginning to be built in significant numbers. “There is a huge movement right now in retailing to go back to main street. Today all the national chains are looking for space on main street. The shopping centers are learning

from the cities.” For now, because these hybrid main streets or village shopping developments remain less common, they command trade areas two to two and a half times the norm, said Gibbs. “We’re at the very tip of the wave. Tenants are demanding that developers do it, and brokers are saying that it’s not doable, that no one will shop there. But tenants and developers are ignoring them and they’re being leased out.”

#### What Main Street Can Learn from the Mall. 11/95. Atlantic Monthly

- Gibbs sees the street first as a commercial space. Nourish commerce, his implicit credo goes, and the people will come. A dirty street, a sidewalk spotted with old chewing gum and grime, is a turnoff to shoppers.
- The car has generally been treated as an enemy, with disastrous results for downtown commerce. During the 1960s and 1970s, for example, there was a great vogue in planning circles for banning cars from downtown streets and creating pedestrian malls. The experiment was disastrous. Many downtown malls have since been ripped up, and the streets rebuilt for automotive traffic. Surveying a small parking lot just off Clematis, Gibbs says that a conventional urban planner would waste no time converting it into a park, with benches, trees, and perhaps a fountain. “The shoppers will be happier if they have a place to sit and watch the fountain,” he says, in disdainful deadpan imitation of a hypothetical planner’s argument. In Gibbs’s view, the problem is that people won’t stop, park their cars, and get out to visit such a park. And if they don’t do that, the merchants of West Palm Beach won’t have an opportunity to sell them anything.
- Retailers flock to what Gibbs calls a “main-main” intersection—the place where the two most heavily traveled roads in an area meet. Historically, towns grew up around main-mains. In one town after another across the country, the opening of a new bypass created a new main-main outside town...It is usually at these new crossroads [where interstates cross state highways] that one finds large regional shopping malls today.
- Mall operators and national retailers are moving quickly to give people what they want, and Gibbs’s message is that towns must do so too if they wish to survive and prosper. That still leaves plenty of room for individuality. Each town must build on its unique strengths and its unique markets.

#### Urbandizing: A Primer on How Downtowns Can Compete with Retail Malls and Strip Centers, by Robert Gibbs.

- Downtown retailers must follow the same merchandising and retail principals used by the best major mall developers to satisfy consumer wants and needs. It is important, however, that downtowns not lose their distinctive physical and lifestyle qualities.
- The exclusion of all automobile traffic in favor of pedestrian traffic was counterproductive. Successful downtowns need people driving by downtown storefronts to stimulate impulse and latent buying.

#### Developers, Retailers Buying Into Town Center Concept

By MORRIS NEWMAN

SPECIAL TO THE TIMES

November 13 2001

Defying the initial skepticism of some retailers and developers, open-air shopping centers that combine stores with apartments and office space are fetching higher rents, and in some cases reporting higher sales, than many competing shopping centers across the country.

Compared with commercial districts in older, established urban areas, "town center" projects are newly built projects, often in suburbs or new, master-planned communities that lack pedestrian-oriented shopping streets.

Considered avant-garde in the early 1990s, the town center concept has become widely popular in recent years. The trend suggests that the town center formula, which provides a mix of retail and office space, housing and sometimes museums and other civic buildings, can be a potent recipe for retailers...

...The trend is not limited to California. Town Square in the village of Schaumburg, Ill., near Chicago, combines 136,000 square feet of retail space with a public library and a museum. Merchants pay \$18 to \$22 per square foot monthly, compared with \$17.81 in other area stores, according to Paul Evans, a planner with the village. Only the local regional mall commands higher rents...

### **Successful Neighborhood Retail Takes A Project "Champion": ULI Workshop Creates Ten Principles for Development**

Experts.uli.org  
July 24, 2003

The development of a successful neighborhood retail project depends on the ability of a project "champion" to build consensus among stakeholders in the project by working closely with neighborhood residents and business owners so the project is perceived as a neighborhood enhancement rather than an intrusion, according to industry experts assembled recently by the Urban Land Institute (ULI).

A workshop focusing on the revival of urban core retail facilities was held in Washington last month to develop a list of guiding principles for such development. Participants noted that interest in urban retail development is a spin-off of the "rediscovery" of cities as places to live as well as work. Yet, despite the downtown renaissance of the past several years, many inner city areas remain grossly underserved by the retail sector, while the outlying areas tend to be saturated with retail.

Urban retail was also discussed during ULI's retail and urban entertainment conference last March, including a presentation by Kenneth Lombard, who formed Beverly Hills-based Johnson



Development Corp. with former pro-basketball star Magic Johnson in the early 1990s. According to Lombard, inner city markets are often ignored due to incorrect notions about income and population demographics, which tend to be underestimated. Many of the neighborhood residents, particularly immigrants, have large extended families who want shopping, restaurants and urban entertainment facilities in their neighborhoods, and who will regularly patronize establishments where they feel welcome, he said.

“Part of our philosophy on securing projects is community outreach. They (the residents) have to feel like you are part of their community,” Lombard said during the conference last spring. “Everyone is welcome at our projects, as long as they are not there to disrupt the experience of others. If you want to maximize your success, you need to figure out how you can do something to include all the customers available to you. It’s about going in with an attitude of inclusiveness, not an attitude of gentrification.”

At the June workshop, participants identified ten principles for successful urban retail development:

- It takes a vision—the vision must be shared by all the stakeholders: property owners, residents, the public and private sector; the vision should clearly establish short- and long-term goals.
- Great streets need great champions—Every revitalization project needs a champion; someone passionate enough to initiate the process and follow it through to completion. The champion will be a person (or a group of people) who recognizes the problem, and has dreams of something better. The champion will pull together stakeholders from the community to create a shared vision of the revitalization effort.
- Think residential—Retail follows residential, usually evolving from mainly local businesses to lower-end national retailers, followed by higher-end national firms. However, it is not vital to attract national retailers to be successful, and no plan should depend solely on national retailers.
- Honor the pedestrians—Recognize that street patterns may impact the success of the project; allow multiple entrances to shopping areas so it is accessible from all sides. Sidewalks should be wide enough to accommodate outdoor dining with enough room to allow pedestrian flow.
- Parking is power—Balance pedestrian-friendly environment with car access; a clear distribution of parking is needed to supply urban retail. Recognize that transit alternatives cannot support high-density retail by itself. However, transit should be actively promoted by developers, retailers and employers. It brings diversity to the area, and also helps bring in retail workers. Promoting transit can help offset development costs of providing parking spaces.
- Merchandize and lease proactively—Establish a leasing and management agency; the leasing professional should be a part of the design team, so they fully understand the long-term vision of the project. This professional will recruit tenants in coordination with

the design and plan. For the neighborhood street, the leasing strategy needs to be tailored to the specific community where it is located

- Make it happen—Use tools for revitalization and/or redevelopment, such as securing a designation as a business improvement district; obtaining tax increment financing; targeting locations in special taxing districts or special assessment districts; and pursuing use of eminent domain
- Keep the area clean, safe and friendly—Think of the street holistically, creating an ongoing entity to manage the area in perpetuity to ensure that infrastructure and appearance are clean and maintained. A high police visibility and tight security lend peace of mind for potential retailers and customers, particularly if the area had a bad reputation before redevelopment.
- Extend day into night—Create a presence during all hours to take advantage of various sub-markets. The inclusion of restaurants, theaters, movies or other late evening uses helps attract people after business hours, and can offset limited use during the day by office workers. However, it is also important to stimulate activity by daytime workers during mornings and lunch hours. In addition, educational facilities can create parking during off hours. Shared Parking can accommodate the parking demand for all uses throughout the day. Coordinated shared parking can help eliminate the need for extra parking that sits unused at certain hours.

Manage for change—Streets will grow and change on their own; often a retailer may be willing to renew their lease, but they no longer fit into the vision or image of the area. They are also subject to momentum, which can be fueled by the project champion. Public-private partnerships allow for property owners and retailers to control their identity with input from the local government; the key is to establish long term leadership that survives elections.

11. **Petition 195TCH-04 PB** City of Gainesville. Implement Plan East Gainesville by adopting a new overlay zoning district containing special land development regulations.

Mr. Dean Mimms was recognized. Mr. Mimms noted that Plan East Gainesville was a long-range vision undertaken in 2003 by Gainesville and Alachua County and staff had been given direction to implement the plan. He explained that the amendments incorporating Plan East Gainesville into the Comprehensive Plan had been approved for the Future Land Use and Transportation Mobility Elements. He indicated that the purpose of the petition was to establish an overlay zoning so the land development regulations could be implemented. He explained that there were differences in the large area, which could be categorized as urban, suburban, and rural areas and each area required its own set of regulations. He presented a map of the area known as 5 Points, and noted that it was identified as an area that needed to function as a town center with long-term redevelopment and served by transit. Mr. Mimms indicated that staff thought the area should be expanded. He presented a number of slides showing the general area. He pointed out that there were vacant parcels, rundown housing, and closed buildings. He noted that the existing development regulations would remain in the suburban areas. Mr. Mimms offered to answer any questions from the board.

Chair Pearce indicated that he had always felt that it was crucial for the 5 Points to be redeveloped. He indicated that the zoning had to be of a nature to attract investment. Regarding the boundaries of the Plan East Gainesville Area, he indicated that he believed the 5<sup>th</sup> Avenue and Pleasant Street neighborhoods and the area between the Duckpond and Waldo Road are areas that should be included.

There was discussion of the overlay district boundaries.

There was no public comment on the petition.

Mr. Gold requested that staff try to reopen the issue of the map boundaries of Plan East Gainesville.

Mr. Mimms indicated that he could take the issue to the City Commission. He noted that the boundaries were developed by the MTPD and accepted by the City and County Commissions. He noted that, for the record, on Page 4 of the staff report there was a Standard Industrial Code number that was incorrect. He indicated that gas service stations should be IN5541.

Mr. Reiskind noted that gas station would be prohibited in some areas. He asked about the existing gas stations.

Mr. Mimms indicated that such stations would become a legal nonconforming use.

<u>Motion By:</u> Mr. Cole	<u>Seconded By:</u> Mr. Rwebyogo
<u>Moved to:</u> Approve Petition 195TCH-04 PB.	<u>Upon Vote:</u> Motion Carried 6 - 0 Ayes: Gold, Rwebyogo, Reiskind, Cole, Pearce, Tecler.

1. **Petition 195TCH-04 PB** **REHEARING.** City of Gainesville. Implement Plan East Gainesville by adopting a new overlay zoning district (SAP) containing special land development regulations.

Mr. Dom Nozzi was recognized. Mr. Nozzi explained that the petition was heard and approved by the board at their last meeting, however, it was being presented again because of an oversight in notification. He noted that Plan East Gainesville was adopted in 2003 jointly by the City of Gainesville and Alachua County. He indicated that the petition before the board was to revise land development regulations for the area. He discussed the three categories of regulation, urban, suburban, and rural, and noted that each zone needed it's own specific rules. He offered to answer any questions from the board.

There was no public comment on the petition.

Mr. Reiskind asked if the 5-Points area would have greenspace as he had seen in other cities where streets converge.

Mr. Nozzi agreed that it could be an important element in a walkable mixed-use town center where a town center or town square was the center focus. He explained that such development would come under capital improvement rather than land development regulation.

Mr. Reiskind asked about the reasons for the rehearing.

Mr. Mimms explained that staff had realized that, while the petition involved only a text change, its function would be similar to a rezoning, therefore, affected property owners needed to be notified. He indicated that, while the original notification met all of the legal requirements, staff believed it would be better to send out the larger notification. He stated that there had been no response to the additional notification.

<u>Motion By:</u> Mr. Gold	<u>Seconded By:</u> Mr. Rwebyogo
<u>Moved to:</u> Approve Petition 195TCH-04 PB.	<u>Upon Vote:</u> Motion Carried 5 - 0 Ayes: Gold, Rwebyogo, Reiskind, Pearce, Tecler