



**City of Gainesville**  
**Department of Sustainable Development**  
**Planning Division**

PO Box 490, Station 11  
Gainesville, FL 32627-0490  
306 NE 6<sup>th</sup> Avenue

**CITY PLAN BOARD STAFF REPORT**

**PUBLIC HEARING DATE:** June 25, 2020

**ITEM NO:** 2

**PROJECT NAME AND NUMBER:** PB-19-187 SUP Graduate II

**APPLICATION TYPE:** Quasi-Judicial: Special Use Permit to increase density within U-9 Transect from 100 units per acre to 125 units per acre.

**RECOMMENDATION:** Staff recommends approval of Petition PB-19-187 SUP, subject to compliance with all conditions and applicable regulations.

**CITY PROJECT CONTACT:** Yvette Thomas, Planner IV



**Map 1. Site Location Map**

**APPLICATION INFORMATION:**

**Agent/Applicant:** eda./ Dean Trustee & Dean

**Property Owner(s):** Dean Trustee & Dean

**Related Petition(s):** NA

**Legislative History:** None

**Neighborhood Workshop:** Wednesday, December 11, 2019

**SITE INFORMATION:**

**Address:** 1236 SW 4<sup>th</sup> Avenue

**Parcel Number(s):** 13086-000-000

**Acreage:** approximately +/- .4327

**Existing Use(s):** Apartment Building

**Land Use Designation(s):** Urban Mixed-Use High-Intensity (UMUH)

**Zoning Designation(s):** U-9 Urban Transect 9

**Overlay District(s):** None

**Transportation Mobility Program Area (TMPA):** Area "A"

**Census Tract:** 2

**Water Management District:** St. Johns River Water Management District

**Special Feature(s):** None

**Annexed:** 1869

**Code Violations:** None

**SITE AND ADJACENT PROPERTY CHARACTERISTICS:**

The approximately .4327 acre subject parcel is located northeast of the intersection of NW 13<sup>th</sup> Street and SW 4th Avenue as indicated in Map 1. The parcel currently houses a two story multi-family building. The surrounding properties also have multi-family uses that are consistent with the land use and zoning districts as shown in Table 1.

**Table 1.  
 Existing Land Use and Zoning Designations**

	<b>EXISTING USE(S)</b>	<b>LAND USE DESIGNATION(S)</b>	<b>ZONING DESIGNATION(S)</b>
<b>North</b>	Apartments	UMUH: Urban Mixed-Use High-Intensity, (MUR): Mixed-Use Residential	U-9: Urban 9,
<b>South</b>	Apartments	UMUH: Urban Mixed-Use High-Intensity	U9: Urban 9
<b>East</b>	Apartments, Rental homes	UMUH: Urban Mixed-Use High-Intensity, MUR: Mixed Use Residential	U9: Urban 9, U5: Urban 5
<b>West</b>	Apartments	UMUH: Urban Mixed-Use High-Intensity, E: Education	U9: Urban 9, ED: Educational Services

**PURPOSE AND DESCRIPTION:**

The requested special use permit is for development proposed on tax parcel: 13086-000-000. The project site consists of U-9 zoning and requests additional density of 25 units/acre for the proposed multi-family development. Based on the acreage the site currently allows 43 dwelling units and the request would allow for 11 additional units.

The properties have a land use designation of Urban Mixed-Use High-Intensity. The Urban Mixed-Use High-Intensity land use category allows residential, office/research, retail, and service uses either as stand-alone uses or combined in a mixed-use development format. Developments located within this category shall be scaled to fit the character of the area. Residential density shall be limited to 10 to 100 units per acre with provisions to add up to 25 additional units per acre by Special Use Permit as specified in the land development regulations. *Objective 4.1 of the Land Use Element* of the Comprehensive Plan states that 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.

**STAFF ANALYSIS AND RECOMMENDATION:**

**ANALYSIS**

Staff analysis and review is based upon the criteria for issuing a Special Use Permit as shown in 30-3.24 and the provisions of *Section 30-4.13. Building Form Standards of the Land Development Code.*

**Special Use Permit Review Criteria**

In accordance with *Section 30-3.24* no Special Use Permit shall be approved by the City Plan Board unless the following findings are made concerning the proposed special use:

- A. The proposed use or development is consistent with the Comprehensive Plan and the Land Development Code.**

**Future Land Use Element**

**GOAL 1. Improve the quality of life and achieve a superior, sustainable development pattern in the city by creating and maintaining choices in housing, offices, retail, and workplaces, and ensuring that a percentage of land uses are mixed, and within walking distance of important destinations.**

**Policy 1.3.5. Parking lots and garages should be subordinated and limited in size**

**Objective 1.5 Discourage the proliferation of urban sprawl.**

**GOAL 2. Redevelop areas within the City, as needed, in a manner that promotes quality of life, transportation choice, a healthy economy, and discourages sprawl.**

**Objective 2.1. Redevelopment should be encouraged to promote compact, vibrant urbanism, improve the condition of blighted areas, discourage urban sprawl, and foster compact development patterns that promote transportation choice.**

**Policy 2.1.2. The City's Future Land Use Map should strive to accommodate increases in student enrollment at the University of Florida and the location of students, faculty, and staff in areas designated for multi-family residential development and/or appropriate mixed-use development within 1/2 mile of the University of Florida campus and the Innovation Square area (rather than at the urban fringe), but outside of single-family neighborhoods.**

**Transportation Mobility 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.**

Finding: The subject parcel is zoned U-9 and the proposed development is consistent with the land use designation of Urban Mixed-Use High-Intensity (UMUH). UMUH allows multiple uses including residential, office, and retail in either a mixed-use development or independent, stand-alone development. Developments within this category shall be oriented to the street and encourage multi-modal transportation. The request proposes the redevelopment of an underutilized, centrally located site less than 300 feet from the University of Florida. The subject parcel is located outside of a single-family neighborhood and current land use patterns vary between small scale multi-family and larger scale multi-family to the north. The proposed development consists of a six-story, multi-family residential project with 54 residential units (124 bedrooms) and interior, ground floor parking. There are existing sidewalks along the subject parcel and with the classification of SW 4<sup>th</sup> Avenue as a storefront street, the proposed development complies with the land development code and proposes 10 ft. sidewalks along with

pedestrian connectivity into the site. The proposed development will include the demolition of the existing multi-family building.

**B. The proposed use or development is compatible with the existing land use pattern and future uses designated by the Comprehensive Plan. Factors by which compatibility of the proposed use or development shall be reviewed include scale, height, mass and bulk, design, intensity, and character of activity.**

The proposed development is consistent with the land use designation of Urban Mixed-Use High-Intensity (UMUH). The parcel is currently zoned U-9 which allows a six (6) story building by right and eight (8) stories with a height bonus. Current land use and development patterns within the area vary based on scale, height, mass and bulk, design, and intensity. The proposed development is consistent with the character of activity and recently approved developments within the area.

The scale and design of the proposed development is at Site A is compatible if viewed from the context of development along NW 13<sup>th</sup> Street. The largest expansion of the building is concentrated to the most western part of the site where the adjacent future land use and zoning allows for greater densities and building heights. The parcels to the north of the site currently have a residential low density land use. The design of the building is compatible in terms of pedestrian scale and the use of varying building heights, fenestration patterns and the placement of open spaces.

The proposed development will be six stories in height which is compatible with the future land uses designated by the Comprehensive Plan and surrounding developments.

The overall massing of the development is consistent with development within the area and minimizes the mass and scale of the building through the use of different building materials, variations in the window size and design, and the use of different color combinations throughout the building design and building heights. This has created a segmented building mass that has decreased the overall bulk of the development. The intensity and character of the development is compatible with the underlying land use and zoning designation in the Comprehensive Plan. Multi-family residential is also compatible to the current land use pattern

The proposed development is consistent with the character of activity for the area and the Land Use Element of the Comprehensive Plan based on:

**Objective 2.1.** Redevelopment should be encouraged to promote compact, vibrant urbanism, improve the condition of blighted areas, discourage urban sprawl, and foster compact development patterns that promote transportation choice.

**Policy 2.1.2.** The City's Future Land Use Map should strive to accommodate increases in student enrollment at the University of Florida and the location of students, faculty, and staff in areas designated for multi-family residential development and/or appropriate mixed-use development within 1/2 mile of the University of Florida campus and the Innovation Square area (rather than at the urban fringe), but outside of single-family neighborhoods.

The development proposes multi-family residential in close proximity to the University of Florida which is consistent with the Comprehensive Plan.

**C. The proposed use will not adversely affect the health, safety, and welfare of the public.**

The proposed multi-family use does not pose a threat to the health, safety, and welfare of the public and is consistent with existing development.

**D. Ingress and egress to the property, proposed structures, and parking/loading/service areas is provided and allows for safe and convenient automobile, bicycle, and pedestrian mobility at the site and surrounding properties.**

Based on the submitted development plan, the development will have ingress/egress to the internal, surface parking from a private alley located along the west side of the property. This alley will also provide access for refuse pickup and allow for safe and convenient multimodal mobility in the area.

**E. Off-street parking, service, and loading areas, where required, will not adversely impact adjacent properties zoned for single-family residential use.**

The development proposes internal off-street parking for the residents along with refuse pickup occurring within the private alley. There are no adjacent properties zoned for single-family residential use.

**F. Noise, glare, exterior lighting, or odor effects will not negatively impact surrounding properties.**

There are no noise, glare, or odor effects from the use that will adversely affect the surrounding properties. Any proposed lighting for the development will adhere to the applicable section of the Land Development Code to prevent light trespass, light glare, and light pollution.

**G. There is adequate provision for refuse and service/loading areas, and these areas shall be reviewed for access, screening, location on the site, and pedestrian/bicycle mobility and safety. Outdoor storage or display areas, if included, will not adversely impact surrounding properties and shall be reviewed for screening and location on the site.**

The development proposes a refuse area within and screened by the building and will not obstruct pedestrian/bicycle mobility and safety. There are no proposed outdoor storage or display areas associated with the request.

**H. Necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use or development.**

The proposed development will connect to existing utilities and will ensure that there is adequate capacity necessary for the proposed development.

**I. Screening and buffers are proposed of such type, dimension, and character to improve compatibility and harmony of the proposed use and structure with the uses and structures of adjacent and nearby properties.**

The land development code requires compatibility buffers based on the future land use designation. All adjacent properties have a land use designation of UMUH and require no buffer or screening.

**J. The hours of operation will not adversely impact adjacent properties zoned for single-family residential use.**

The proposed development is multi-family and will not have hours of operation and there are no adjacent properties zoned for residential use.

**K. Any special requirements set forth in the Land Development Code for the particular use involved are met.**

The proposed development is also located within the University of Florida Context Area, and the request to increase residential density shall adhere to the 2.75 multiplier. Based on the development's total approved density including the additional units approved by special use permit, the proposed development meets this criteria.

**RECOMMENDATION:**

Staff recommends approval of the request as presented for Petition PB-19-187 SUP, subject to compliance with all conditions and applicable regulations.

**DRAFT MOTION FOR CONSIDERATION**

Approve Petition PB-19-187 SUP, subject to compliance with all conditions and applicable regulations.

**LIST OF APPENDICES:**

**Appendix A Comprehensive Plan Goals, Objectives and Policies**

Exhibit A-1: Future Land Use Element, Goal 1, Policy 1.2.2-1.2.4, 1.3.5, 1.5, Goal 2, Objective 2.1, Policy 2.1.2

Exhibit A-2: Future Land Use Element

Exhibit A-3: Transportation Mobility, Policy 10.1.3, 10.1.4

**Appendix B Land Development Code Regulations**

Exhibit B-1: Section 30-3.24. Special Use Permit Review Criteria.

Exhibit B-2: Section 30-4.8. Development Compatibility. D. Multi-family developments

Exhibit B-3: Section 30-4.12. Permitted Uses

Exhibit B-4: Section 30-4.13. Building Form Standards

**Appendix C Application Documents**

Exhibit C-1: SUP Application Signed

Exhibit C-2: Property Owner Affidavits

Exhibit C-3: Neighborhood Workshop Package

Exhibit C-4: SUP Justification Report

Exhibit C-5: Drawings