

TO: City Plan Board

Item Number: 4

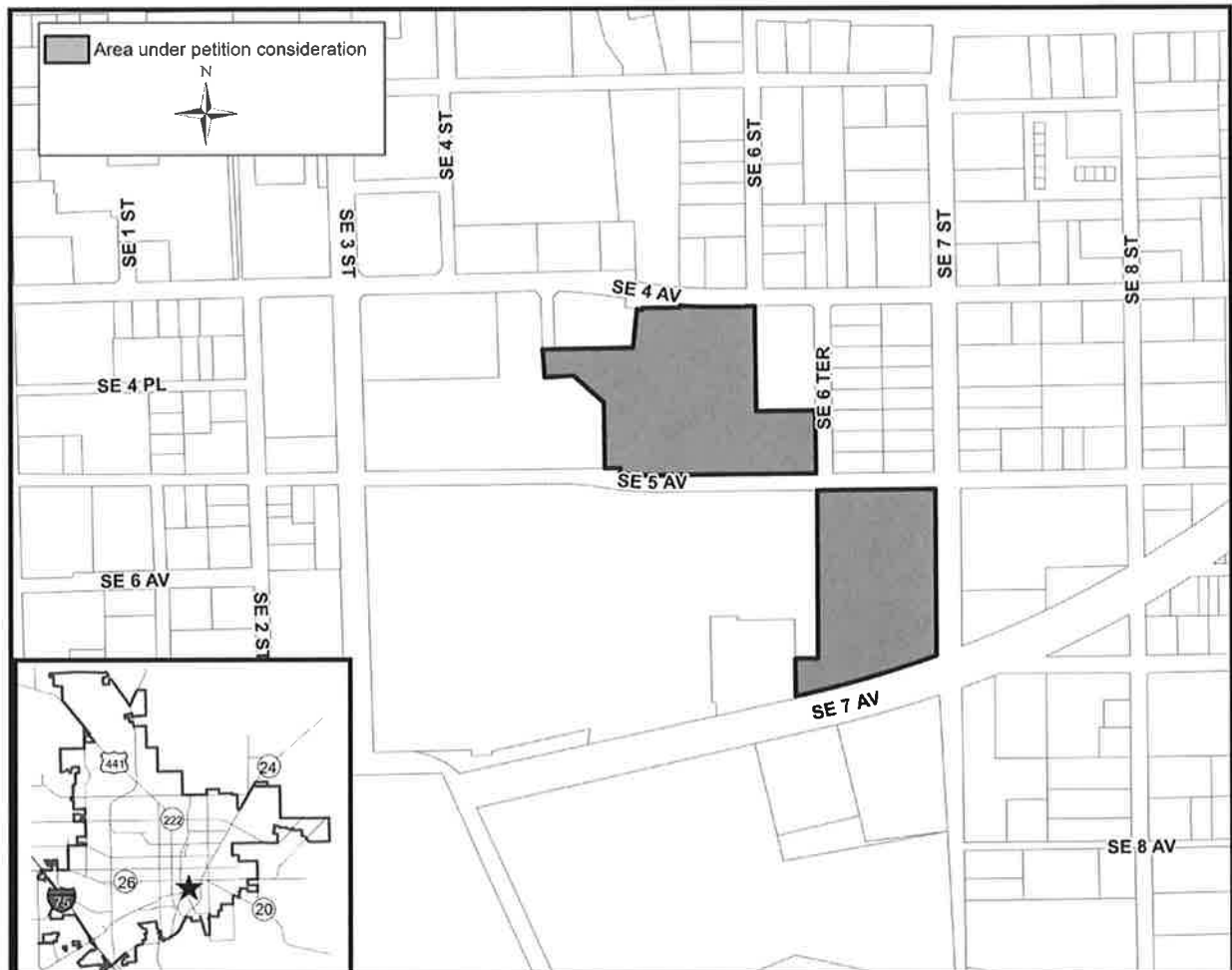
FROM: Planning & Development Services Department
 Staff

DATE: May 22, 2014

SUBJECT: Petition PB-14-55 LUC. Eng, Denman & Associates, Inc., agent for Gainesville Community Redevelopment Agency. Amend the City of Gainesville Future Land Use Map from Public and Institutional Facilities (PF) to Urban Mixed-Use 2 (UMU-2: 10 to 100 units per acre; and up to 25 additional units per acre by special use permit). Located west of SE 6th Terrace between SE 4th Avenue and SE 5th Avenue, and west of SE 7th Street between SE 5th Avenue and SE 7th Avenue. Related to PB-14-54 ZON.

Recommendation

Staff recommends approval of Petition PB-14-55 LUC.



Description

This proposed land use change is a small-scale amendment of the Future Land Use Map that pertains to an approximately 7.74-acre, City-owned, developed property (see map on previous page) that was previously used for Gainesville Regional Utilities operations. It is located west of SE 6th Terrace between SE 4th Avenue and SE 5th Avenue, and west of SE 7th Street between SE 5th Avenue and SE 7th Avenue. The property is on the south edge of downtown Gainesville, four blocks south of East University Avenue (State Road 26) and approximately five blocks east of South Main Street. This petition is related to Petition PB-14-54 ZON, which proposes rezoning from Public services and operations district (PS) to UMU-2: 10 to 100 units per acre, and up to 25 additional units per acre by special use permit, urban mixed-use district. See Exhibit B-1 for an aerial photograph of the property and surrounding area. See Exhibits B-2 and B-3 for the existing and proposed land use maps. See Exhibit C-1 for the Application.

North of the property are Sweetwater Branch Park (Conservation land use and Conservation district zoning), residences in the Southeast Historic District (Residential Medium Density, 8-30 units per acre land use, and RMF-7: 8-21 units/acre multiple-family residential district zoning), and the McRorie Community Garden (Public and Institutional Facilities land use, and Public services & operations district zoning). See McRorie Community Garden on next page.

East of the property are residences in the Southeast Historic District (Residential Medium Density, 8-30 units per acre land use, and RMF-7: 8-21 units/acre multiple-family residential district zoning) along SE 6th Terrace. Outside of the Southeast Historic District and across SE 7th Street to the east are apartments and a single-family house (Residential Medium Density, 8-30 units per acre land use, and RMF-7: 8-21 units/acre multiple-family residential district zoning).

South of the property are GRU operations (Public and Institutional Facilities land use, and Public services & operations district zoning), a warehouse and Prioria Robotics (Mixed Use High-Intensity (up to 150 units per acre) land use and CCD: up to 150 units/acre central city district zoning), and Lewis Oil Company ((I-2 (General industrial district); I-1 (Limited industrial district)).

West of the property are: GRU operations (with Mixed-Use High-Intensity, up to 150 units per acre land use) and CCD (up to 150 units/acre central city district) zoning, and with Public & Institutional Facilities land use and Public services & operations district zoning; and a warehouse and Prioria Robotics (Mixed-Use High-Intensity, up to 150 units per acre land use and CCD: up to 150 units/acre central city district zoning).

The existing Public and Institutional Facilities (PF) land use limits the use of the property to administrative, operational, and utility governmental functions; private utilities; cemeteries; and public-private partnerships or other legal arrangements where the land title is vested in a government and the use(s) serve a public purpose. The existing PF land use severely limits the redevelopment potential of this property. The proposed Urban Mixed-Use 2 land use allows a mixture of residential, retail, service and office/research uses, and, if approved will greatly increase the potential for redevelopment of this property. An essential component of the UMU-2 land use category is orientation of structures to the street and multi-modal character of the area.

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Retail and office uses must be scaled to fit the character of the area. The maximum building height allowed by UMU-2 is six stories and up to 8 stories by special use permit.

Power District

The property is within the Downtown Community Redevelopment Area (CRA) and within the Power District. The Power District includes City-owned property that is generally bounded (see Power District Boundaries map in neighborhood workshop documents of Exhibit C-1, Application) by SE 4th Avenue on the north, South Main Street on the west, Depot Park and the former RTS fleet maintenance and operations facility on the south, and SE 4th and SE 7th Streets on the east. The CRA Board (comprised of the members of the Gainesville City Commission) in December 2013 approved the Power District Redevelopment Plan. This redevelopment plan consists of a general master plan (street and block layout), public works standards, building design standards, and development controls. These development controls include a six-story height limit and a 3-story height limit for areas that face adjacent residential areas. The Power District, as stated in its Core Planning Principles under “Build on What’s Existing” (within the Application, Exhibit C-1) gives the City “an opportunity to catalyze new development while building on the area’s industrial character through adaptive reuse of existing structures.” Under the Principle of “Plan Incrementally and Build Slowly” this “will build redevelopment momentum for the district with many successive small projects and create an organic character that is in keeping with the surrounding neighborhood.”

Although not part of this land use petition, a separate petition (Petition PB-14-53 TCH that is related to related zoning Petition PB-14-54 ZON) proposes a six-story height limit within the Power District. That petition also proposes, for Power District areas that are adjacent to residentially zoned properties, a three-story height limit at the build-to line, and a 15-foot step back for each subsequent building story.

McRorie Community Garden

The McRorie Community Garden is part of the City of Gainesville’s Community Gardens Program, and is a popular public garden located on public land adjacent to the northeast corner of the property and at the corner of SE 4th Avenue and SE 6th Terrace. This community gardens project was approved by a Memorandum of Understanding between Gainesville Regional Utilities and Gainesville General Government in 1997 (see Exhibit B-4 - Memorandum of Understanding re: Community Gardens Project). The Memorandum of Understanding (hereinafter, the “agreement”), among its various provisions, provides for uninterrupted use of the property (by General Government for this community gardens project under its administration) for a period of five years beginning on September 1, 1997. After that five-year period, the agreement allows for continued use of the property provided there is continued interest in the program by the surrounding neighborhood and provided that no other use of has been identified for the property by GRU. Should GRU propose another use for the property, GRU is required to provide at least six months’ notice of termination of the agreement to General Government.) The McRorie Community Garden is not included within the areas proposed for land use and zoning changes.

Key Issues

- The proposed small-scale amendment to Urban Mixed-Use 2 is consistent with the City's Comprehensive Plan.
- The proposed small-scale amendment to Urban Mixed-Use 2 change provides the best land use category for the Power District Redevelopment Plan, and it will greatly increase the potential for redevelopment of the property.

Basis for Recommendation

The staff recommendation is based on the factors stated in the Future Land Use Element and on State statute criteria, which are discussed below: Consistency with the Comprehensive Plan; Compatibility and surrounding land uses; Environmental impacts and constraints; Support for urban infill and redevelopment; Impacts on affordable housing; Impacts on the transportation system; An analysis of the availability of facilities and services; Need for the additional acreage in the proposed future land use category; 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.; Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy; and, Need to modify land use categories and developmental patterns within antiquated subdivisions as defined in Section 163.3164, F.S.

1. Consistency with the Comprehensive Plan

The proposed land use change from Public and Institutional Facilities (PF) to Urban Mixed-Use 2 (UMU-2: 10 to 100 units per acre; and up to 25 additional units per acre by special use permit) is consistent with Future Land Use Policy 1.2.3, Goal 2, Objective 2.1, and Policy 4.4.1, below. See Exhibit A-1 for other relevant Gainesville Comprehensive Plan policies.

Future Land Use Element

Policy 1.2.3 The City should encourage mixed-use development, where appropriate.

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

Urban Mixed-Use 2 (UMU-2: 10 to 100 units per acre; and up to 25 additional units per acre by special use permit)

This category allows a mixture of residential, retail, service and office/ research uses. The Urban Mixed-Use districts are distinguished from other mixed-use districts in that they are specifically established to support research and development in the physical, engineering and life sciences in close proximity to the University of Florida main campus. An essential component of the district is orientation of structures to the street and multi-modal character of the area. Retail and office uses located within this district shall be scaled to fit into 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. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. All new non-single-family principal buildings shall have a minimum height of 24 feet. Building height shall be limited to 6 stories and up to 8 stories by special use permit. Land development regulations shall set the appropriate densities; the distribution of uses; design criteria; landscaping, and pedestrian/vehicular access. Land development regulations shall specify the criteria for the siting of public and private schools, places of religious assembly and community facilities within this category.

2. Compatibility and Surrounding Land Uses

The proposed Urban Mixed-Use 2 category for this developed public utilities property at the south edge of downtown is compatible with the surrounding area and its land uses. Compatibility will be furthered by the Power District Redevelopment Plan and by the building height limitations proposed by Petition PB-14-53 TCH for the Power District area within the UMU-2 zoning district. See Table 1 on Page 12 of this document for a tabular summary of adjacent existing uses and adjacent land use and zoning categories. As noted in the Description section of this report, see Exhibit B-1 for the aerial photograph, and Exhibits B-2 and B-3 for maps of the existing and proposed land use for the property and surrounding area.

3. Environmental Impacts and Constraints

The current FEMA Flood Insurance Rate Map (FIRM) shows a Special Flood Hazard Area (SFHA) within the property adjacent to SE 4th Ave. However, a more current study has modeled the SFHA to not be within the property. The flood zone stops north of the property, at the open channel on the north side of SE 4th Avenue adjacent to Sweetwater Branch Park, and resumes to the west and south of the property and south of SE 7th Avenue. Sweetwater Branch is piped underground from SE 4th Avenue to the south side of SE 7th Avenue where it resumes its open channel flow to the south. (Source: May 8, 2014 e-mail from Public Works Departments Andy, Renshaw.)

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The City's Environmental Coordinator provided the following environmental analysis in a memorandum dated April 30, 2014:

The subject petitions for proposed changes in land use and rezoning for two parcel groups totaling 7.74 acres in the downtown Power District of Gainesville have been reviewed for considerations relating to environmental resources which may be present on or immediately adjacent to the property. The petitions propose a land use change from Public and Institutional Facilities (PF) to Urban Mixed-Use 2 (UMU-2), and rezoning from Public Services and Operations District (PS) to Urban Mixed-Use 2 (UMU-2) District. One block of parcels is located in the northwest quadrant of the intersection of SE 7th Street and 7th Avenue, with SE 5th Avenue bordering the parcels on the north. The second block of parcels is bordered by SE 4th Avenue on the north, SE 5th Avenue on the south, SE 6th Terrace on the east. The western boundary of this second parcel block extends across and west of an underground segment of Sweetwater Branch. In this location and across the entire Power District, the creek is piped below ground surface a distance of approximately 1200 feet from the north side of SE 4th Avenue to the south side of SE 7th Avenue.

Sweetwater Branch, a scenic and locally popular stream, originates in the North Main Street and historic Duckpond neighborhoods, and drains the downtown and adjacent southeast areas of Gainesville south to the City of Gainesville's Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project and Paynes Prairie Preserve State Park. Sweetwater Branch is a regulated surface water pursuant to Gainesville Code 30-300.

As the majority of the petition area is covered by city streets, and the existing structures and paved parking of the Power District facilities, there are no natural resource features to consider in this review other than the stream channel of Sweetwater Branch. The underground segment of the stream, which runs south through the western side of the second block of parcels as described above, flows beneath areas of operations, stockpiling area or paved parking lot. No existing buildings or other types of structures are located on top of or within 35 feet of the underground creek through this specific area of the Power District.

The uses and development proposals for this second block of the petition area should anticipate the requirements of LDC 30-301 regarding buffers and any potential surface water impacts within this regulated creek corridor. The proposed conceptual Master Plan and Implementation Process for the redevelopment of the subject property includes a feasibility study for the daylighting of Sweetwater Branch, and designation of a future open channel/stream zone through this section of the Power District.

In summary, any redevelopment of the subject property under the proposed land use and zoning would be subject to review for compliance with LDC 30-300 relative to the unique challenges presented by Sweetwater Branch. Any consideration for incorporating planning elements which would facilitate future opening and restoration of the significantly degraded underground stream would be recommended. Uses or modifications of the existing development facilities under the proposed land use and zoning would be assumed to avoid and thereby comply with the environmental regulations for creek protection. Designation of a future "restoration creek zone" which extends 35 feet from each side of the creek pipe structure would establish the minimum

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current buffer (for planning purposes) for compliance with LDC 30-300, and provide a core space for future potential restoration of the creek to ground surface.

No other issues relating to regulated surface waters/wetlands or natural and archaeological resources are known to exist which might present a constraint or otherwise adversely affect the proposed land use and rezoning proposal. Although Sweetwater Branch has been a largely channelized and altered urban stream system in its upper reaches for many decades, careful land use planning along this creek corridor today will provide an opportunity for future creek restoration which can improve surface water and wetland functions, and enhance scenic and recreational benefits throughout the basin and in concert with the considerable City efforts at Depot Park and Paynes Prairie to the south.

4. Support for Urban Infill and/or Redevelopment

This proposed small-scale land use amendment to Urban Mixed-Use 2 for this developed public utilities property at this center city location is consistent with and supportive of the City's redevelopment policies (Goal 2, Objective 2.1 of Future Land Use Element) and programs (Downtown Community Redevelopment District; Power District). Without the proposed change, the redevelopment potential of the property is limited.

5. Impacts on Affordable Housing

The proposed Urban Mixed-Use 2 category allows residential use on this 7.74-acre property, unlike the existing Public and Institutional Facilities land use, which does not allow residential use. The UMU-2 land use, if approved, has the potential to have a positive impact on the supply of affordable housing in Gainesville.

6. Impacts on the Transportation System

The applicant has stated that the Power District will be developed at a much lower intensity and density than the maximums that can be allowed under UMU-2 land use. The applicant's transportation analysis for this small-scale land use amendment is based on a probable development scenario of 1.0 FAR (floor area ratio). The 1.0 FAR for 7.74 acres equals 337,154 sq. ft. of non-residential development. A density of 50 units per acre equals 387 residential units. A total of 221 total PM Peak hour trips are anticipated at future build-out, as are 1,894 Average Daily Total trips (which reflect the Transportation Mobility Element Policy 10.2.5 allowance for reducing by 40 percent the net, new average daily trip generation for any mixed-use project that includes both a residential and non-residential component where residential dwelling units equal at least 10 percent of the floor area of commercial/office uses).

The property is located within Zone A of the Gainesville Transportation Mobility Program Area (TMPA), which, per Transportation Mobility Element Policy 10.1.3 states, "shall promote redevelopment and infill in the eastern portion of the City and the area near the University of Florida." The City rescinded transportation concurrency with the adoption of its updated Comprehensive Plan. Therefore, development within Zone A is not required to meet level of service (LOS) standards for concurrency, but is required to comply with Policy 10.1.4 of the Transportation Mobility Element (see Exhibit A-1 - Comprehensive Plan GOPs).

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At the time of development plan review, this 7.74-acre property will be subject to the TMPA Zone A requirements of Policy 10.1.4. Various transportation mobility requirements listed in Policy 10.1.4 must be met by the developer for any development or redevelopment within Zone A. The developer is also required to 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.

The property is served by five two-lane roads (SE 4th AVE, SE 5th AVE, SE 6th Terrace, SE 7th ST, and SE 7th AVE), and is five blocks west of South Main Street and four blocks south of East University Avenue (State Road 26). The property is less than one-quarter mile from the Rosa Parks RTS Downtown Station (located on the west side of SE 3rd ST across from the Kelly Power Plant, and shown on the Transportation Mobility Map Series map entitled Existing Transit Hubs & Transit-Supportive Hubs) which is a transfer station that provides access to all RTS bus routes within the City. Detailed information on the various RTS routes is included in the Application (Exhibit C-1).

The Depot Avenue Rails-to-Trails Bike Path (which connects to a larger bike path system that includes but is not limited to the Gainesville-Hawthorne Rail Trail and the Downtown Connector) is adjacent to the property along SE 7th AVE.

7. Availability of Facilities and Services

This developed property, which has been vacated by GRU, is on the southeast side of downtown Gainesville in an urbanized area that is served by public utilities and other public services. A 12-inch water main is located in SE 4th and 5th Avenues, and a 12-inch water main runs north and south through the property, which should provide adequate potable water capacity. Determination of the adequacy of wastewater capacity will require modeling of the collection area to ascertain whether collection capacity is sufficient or if an off-site upgrade will be required to handle the additional potential development. (Source: May 5, 2014 e-mail from GRU, Ellen Underwood, New Service Supervisor).

An allowance to provide water supply capacity for future population growth is included in the Consumptive Use Permit. No issues with providing sufficient water supply capacity are anticipated at this time, but this statement does not constitute a reservation or guarantee of water supply to the property (source: May 5, 2014 e-mail from GRU, Alice Rankeillor, P.E., Utility Engineer).

The proposed land use will not impact adopted levels of service for potable water, water supply, solid waste, or public schools (see Exhibit B-5: Letter from Alachua County Public Schools), which, along with wastewater, will be reviewed for concurrency at the time of development plan review.

The proposed land use may impact adopted levels of service for recreation (specifically for: Community Parks, which have an existing LOS of 2.13 acres and an adopted LOS Standard of 2.00 acres per 1,000 people; and, Neighborhood Parks, which have an adopted LOS standard of 0.80 acres per 1,000 people, and an existing LOS of 1.33 acres). However, recreation LOS will

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be reviewed for concurrency at the time of development plan review, and all applicable concurrency requirements will have to be met at the time of development plan approval.

Stormwater level of service requirements will have to be met when a development plan for the site is submitted.

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

There are approximately 571 acres of property with the Urban Mixed-Use 2 land use category in Gainesville, which will be increased to approximately 578.74 acres if this proposed small-scale land use amendment is approved. Of the City's total area of 62.89 square miles, approximately 0.9 miles square miles (approximately 1.44 percent) will be in UMU-2 land use if this land use change is approved.

Although there is no distinct need for additional Urban Mixed-Use 2 acreage, this proposed change provides the best land use category fit for the Power District Redevelopment Plan that was adopted by the CRA (Community Redevelopment Area) Board in December 2013. This will transform this developed public utilities property to a more usable urban form.

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.:

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

Yes. This proposed change from PF to UMU-2 land use pertains to a developed public utilities property that is in the urban core of Gainesville and is in need of redevelopment. It will have no adverse impact on natural resources and systems because there are no natural resource features to protect on this property other than the stream channel of Sweetwater Branch, which runs beneath the property. The adopted redevelopment plan pertaining to this property envisions the future uncovering of Sweetwater Branch, at which time setbacks and other protections required by applicable regulations would have to be met.

- (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

Yes. This publicly owned urban core property has existing public services and infrastructure and is proximate to the City's Rosa Parks RTS Downtown Station, which is the City's main transit hub. The proposed land use amendment clearly promotes the efficient and cost-effective provision or extension of public infrastructure or services.

- (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 UMU-2 land use category proposed for this urban core location meets every aspect of this criterion. See UMU-2 land use category description under Consistency with the Comprehensive Plan, on Page 4 of this staff report.

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

Yes. The proposed UMU-2 land use is a very flexible, mixed-use category that will help meet both current and future demands for the nonresidential needs of the residential population of the area. A broad range of non-residential uses is allowed by UMU-2, including research and development in the physical, engineering and life sciences, which is particularly supportive of the rapidly growing technological and scientific components of the local economy.

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

This property is located in the heart of Gainesville's Innovation Zone (see Exhibit B-6 for a map of the Innovation Zone) and as previously discussed, is in both the Downtown Community Redevelopment Area and the Power District, for which a redevelopment plan was approved in December 2013. The proposed land use change to UMU-2 definitely will help meet the 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 developmental patterns within antiquated subdivisions as defined in Section 163.3164, F.S.

This is not applicable because the property is not part of an antiquated subdivision.

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Respectfully submitted,



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Prepared by:



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Table 1**Adjacent Existing Uses**

North	Sweetwater Branch Park; residences in Southeast Historic District; McRorie Community Garden (City of Gainesville Community Gardens Program)
South	GRU operations; warehouse and Pioria Robotics; Lewis Oil Company
East	Residences in Southeast Historic District; apartments and single-family house
West	GRU operations; Warehouse and Pioria Robotics

Adjacent Zoning and Land Use and Zoning

	Land Use Category	Zoning Category
North	CON (Conservation); MUM (Mixed-Use Medium-Intensity, 12-30 units per acre); RM (Residential Medium-Density, 8-30 units per acre); PF (Public & Institutional Facilities)	CON (Conservation district); RMF-7: 8-21 units/acre multiple-family residential district; PS (Public services & operations district)
South	PF (Public & Institutional Facilities); MUH (Mixed-Use High- Intensity, up to 150 units per acre); (IND) Industrial	PS (Public services & operations district); CCD (Up to 150 units/acre central city district); I-2 (General industrial district); I-1 (Limited industrial district)
East	RM (Residential Medium-Density, 8-30 units per acre)	RMF-7: 8-21 units/acre multiple-family residential district
West	MUH (Mixed-Use High-Intensity, up to 150 units per acre); PF (Public & Institutional Facilities)	CCD (Up to 150 units/acre central city district); PS (Public services & operations district)

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List of Appendices

Appendix A Comprehensive Plan GOPs

Exhibit A-1 Comprehensive Plan GOPs

Appendix B Supplemental Documents

Exhibit B-1 Aerial Photograph

Exhibit B-2 Map: Existing Land Use

Exhibit B-3 Map: Proposed Land Use

Exhibit B-4 Memorandum of Understanding re: Community Gardens Project

Exhibit B-5 Letter from Alachua County Public Schools

Exhibit B-6 Map: Innovation Zone

Appendix C Application

Exhibit C-1 Application