

**LEGISLATIVE #**

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**TO:** City Plan Board

**Item Number:** 5

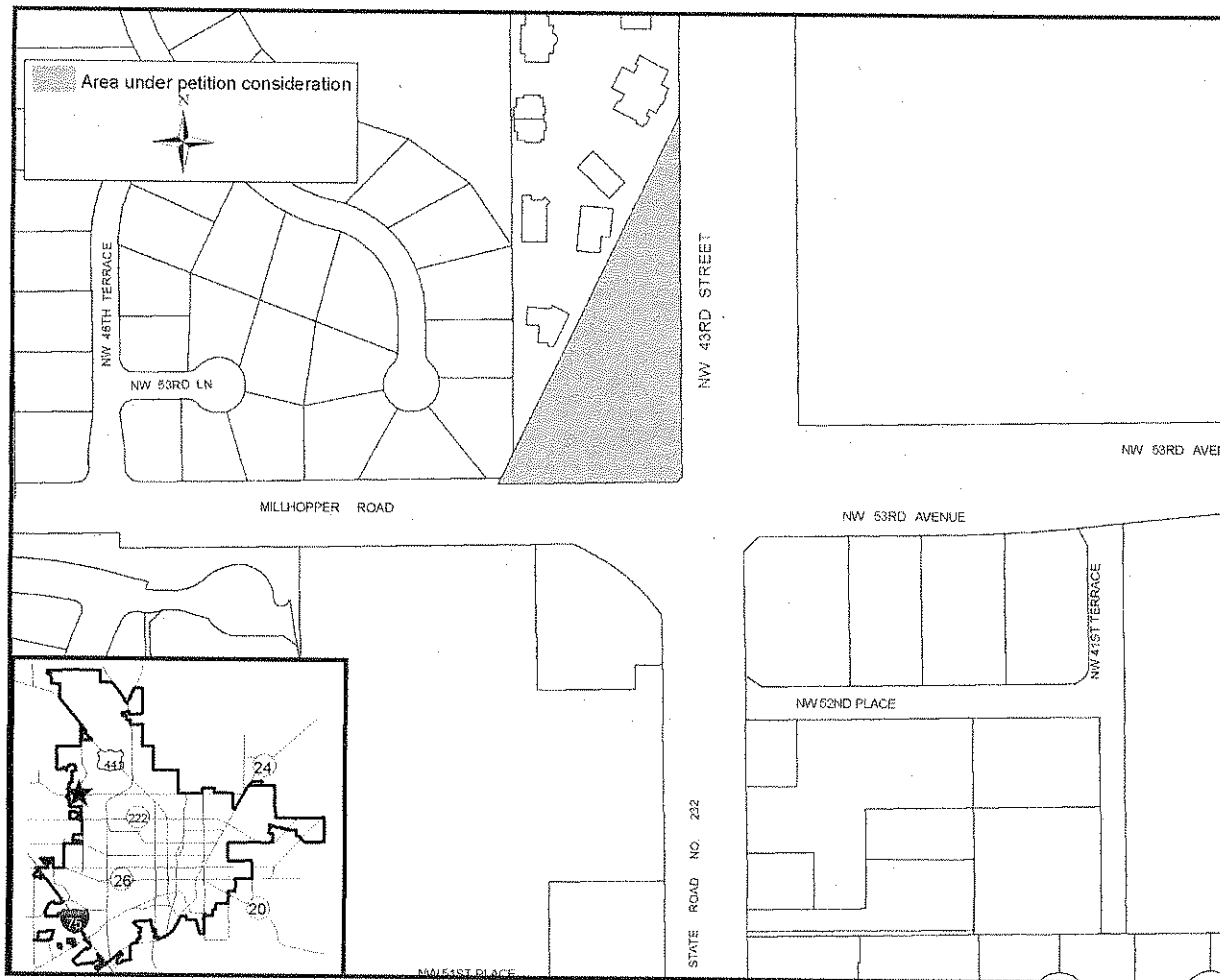
**FROM:** Planning & Development Services Department Staff

**DATE:** May 26, 2011

**SUBJECT:** Petition PB-11-64 ZON. Eng, Denman and Associates, agent for City of Gainesville. Rezone property from PS (Public services and operations district) to MU-1 (8-30 units/acre mixed use low intensity). Located at 4322 Northwest 53<sup>rd</sup> Avenue. Related to Petition PB-11-63 LUC.

**Recommendation**

Staff recommends approval of Petition PB-11-64 ZON.



**Description**

This proposed rezoning from PS (Public services and operations district) to MU-1 (8-30 units/acre mixed use low intensity) is for the approximately 2.69-acre, City of Gainesville property located on the northwest corner of the intersection of Northwest 43<sup>rd</sup> Street and Northwest 53<sup>rd</sup> Avenue (Millhopper Road, County Road 232). See map on preceding page, and aerial photo in Appendix B, Exhibit B-1. This developed property (with its 11,888 square-foot building) is the long-established site of Gainesville Regional Utility's (GRU's) Electrical Systems Control facility, which is to be relocated to the new GRU Eastside Operations Center on North Main Street following its anticipated completion later this year.

The to-be-vacated property will become surplus City property and listed for sale. The current PS zoning is appropriate for governmental facilities, but is generally inappropriate for private ownership and development (notwithstanding that the stated purpose of the PS zoning district "...is established for the purpose of ...providing suitable locations for ...public and private utility and recreation activities that serve and are used directly by the public ..." (from Sec. 30-75, Land Development Code)). The proposed MU-1 zoning is appropriate for private development and for this location. The southwest and southeast intersection corners already have the MUL land use designation. The southeast corner has MU-1 zoning, and the southwest corner of the intersection has PD (Planned development district) zoning.

The property is not within a special area plan. This petition is related to Petition PB-11-63 LUC, which is a request for a small-scale land use amendment from Public Facilities (PF) to Mixed-Use Low-Intensity (8-30 units per acre) (MUL).

**Key Issues**

- The proposed rezoning to MU-1 (8-30 units/acre mixed use low intensity) is consistent with the City's Comprehensive Plan and the proposed MUL land use category.
- Compatibility with adjacent residential property will be ensured by meeting all applicable requirements of the Land Development Code.
- The proposed rezoning from PS (Public services and operations district) to MU-1 could have a positive impact on redevelopment of the site.

**Basis for Recommendation**

The staff recommendation is based on the five following factors, which are discussed below: Conformance with the Comprehensive Plan; Conformance with the Land Development Code; Changed Conditions; Compatibility; and Impacts on Affordable Housing.

**1. Conformance with the Comprehensive Plan**

The proposed rezoning from PS to MU-1 (and related land use change from Public Facilities to Mixed-Use Low-Intensity) is appropriate for this location at the intersection of two arterial roadways, NW 43<sup>rd</sup> Street and NW 53<sup>rd</sup> Avenue. The MU-1 district implements the Mixed-Use Low-Intensity land use category, which "allows a mixture of residential and non-residential uses such as standard lot single-family houses, small-lot single-family houses, duplex houses,

townhouses (attached housing), accessory dwelling units, group homes, multi-family housing (if compatible in scale and character with other dwellings in the proposed neighborhood), offices scaled to serve the surrounding neighborhood, retail scaled to serve the surrounding neighborhood,..." (from Policy 4.1.1, Future Land Use Element). The southeast and southwest corners of this intersection are developed, commercial properties with the MUL land use designation.

The MU-1 zoning (and the related, MUL land use request), if approved, will provide increased redevelopment potential relative to the current limited uses allowed under PS zoning (and PF land use). The requested MU-1 zoning is consistent with the infill and redevelopment goals of the Future Land Use Element (Goal 2, Objective 2.1), and with the Policy 4.2.1 requirement to provide protection for "residential areas and low intensity uses from the impacts of high intensity uses by separating intense uses from low-intensity uses by transitional uses and by performance measures."

The requested MU-1 zoning is also consistent with the Mixed-Use Low-Intensity (8-30 units per acre) (MUL) land use proposed by related Petition PB-11-63 LUC. See Exhibit A-1 for applicable policies of the Future Land Use Element, including the complete description of the Mixed-Use Low-Intensity (8-30 units per acre) land use category. The proposed rezoning is consistent with the City of Gainesville Comprehensive Plan.

## **2. Conformance with the Land Development Code**

This proposed MU-1 (8-30 units/acre mixed use low intensity) zoning for this property is consistent with the City's Land Development Code. This developed property is served by public utilities.

Any proposed additional development or redevelopment must meet all applicable provisions of the Land Development Code, including, but not limited to, setback, building height, access management, lighting requirements, sign ordinance, and stormwater management, potable water and wastewater level of service requirements. No special area plans or overlay districts apply to this property. The property is subject to the City's noise ordinance. A copy of the MU-1 zoning district regulations is in Appendix B, Exhibit B-4.

## **3. Changed Conditions**

The changed condition pertinent to this proposal is GRU's decision to vacate the site, and to relocate the Electrical Systems Control operation to the new GRU Eastside Operations Center on North Main Street following its anticipated completion later this year.

## **4. Compatibility**

South across NW 53<sup>rd</sup> Avenue (and west of NW 43<sup>rd</sup> Street is the Hunters Crossing shopping center (major grocery store, coffee shop, eating places, etc.) and banks. Diagonally across NW 53<sup>rd</sup> Avenue and east of NW 43<sup>rd</sup> Street are a gas station/convenience store and other retail businesses. East of the property and across NW 43<sup>rd</sup> Street is a 20-acre City of Gainesville property that is the site of a GRU sub-station. Adjacent to the north and west is the Waterford

Park office development. To the west along NW 53<sup>rd</sup> Avenue is one abutting lot of the Ashton, single-family, residential development.

See Table 1 at the end of this document for a tabular summary of adjacent existing uses and adjacent zoning and land use categories.

There are no compatibility issues between the proposed MU-1 zoning (and MUL land use) with the PS zoning (Public Facilities land use) across NW 43<sup>rd</sup> Street to the east. Nor are there any compatibility concerns with the PD (Planned development district) zoning (MUL land use) across NW 53<sup>rd</sup> Avenue to the south, with the MU-1 zoning (and MUL land use) to the southeast, or with the General office district zoning (Office land use) to the north and west.

Compatibility with the single-family residential property (RSF-1 zoning, SF land use) to the west will be achieved by meeting all applicable requirements of the Land Development Code. An existing brick wall (approximately 5 feet 10 inches in height) separates the abutting single-family lot from the site. The length of the property line abutment is 53.58 feet (shown on the boundary survey provided by the applicant). Note that the MU-1 zoning district (see Exhibit B-4), as stated in Sec. 30-64 (a) of the Land Development Code, "is established to allow uses compatible with each other and with surrounding residential areas to be developed near each other."

At the March 22, 2011 neighborhood meeting, as stated in the minutes (see Exhibit C-1, Application and Neighborhood Workshop information):

*"The residents of the Ashton subdivision would like it to be made part of the record that they have concern over the fact that there may be more traffic with any zoning changes. They are concerned because of the number of children that walk and ride their bicycles to Talbot Elementary School located on NW 43<sup>rd</sup> Street just north of the current substation. They also would like it to make it known that if there was to be development on this parcel in the future, they would very much like the aesthetics of the building to be much like the buildings that are located in Waterford Park."*

Transportation and other development concerns will be reviewed in the future at the time of development plan review. See Section 6 (Transportation) of this report, below.

## **5. Impacts on Affordable Housing**

The current Public services and operations district zoning and Public Facilities land use do not allow residential development on the approximately 2.69-acre property. The proposed MU-1 zoning and MUL land use land use allow residential use (maximum density of 30 units per acre). In the unlikely case that the property were to be redeveloped as a residential development, a maximum of 80 residential units could be allowed. Therefore, the requested rezoning (and related land use change) could have a positive impact on the supply of potential affordable housing in Gainesville.

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## Transportation

This proposed rezoning to MU-1 has no major transportation issues. The property is located within Transportation Concurrency Exception Area (TCEA) Zone B. It is accessible by car, bicycle and walking from NW 53<sup>rd</sup> Avenue (Millhopper Road) and from NW 43<sup>rd</sup> Street, both of which have a bicycle lane and a 5-foot-wide sidewalk adjacent to the property. The closest transit service is RTS Route 43 (which provides service between Santa Fe College and downtown Gainesville) with stops near the intersection of NW 43<sup>rd</sup> Street and NW 39<sup>th</sup> Avenue. The property currently has three driveways, but future redevelopment will likely result in a total of two driveways in order to meet the access requirements for these Alachua County roads.

As stated on Page 9 of the application (see Exhibit C-1), "a traffic impact analysis will be required as part of the development plan review process to assess any net impact to the local road networks and to demonstrate compliance with Concurrency Management Element ... standards." Any future development or redevelopment of the property will have to meet the requirements of Policy 1.1.6 of the Concurrency Management Element.

The applicant provided a basic trip generation analysis (see Exhibit B-5). The analysis compared existing development (the 11,888 square-foot government office building) with five hypothetical future development scenarios. The analysis shows the maximum potential trip generation for the current use as a government office building, and for each of five diverse uses that are permitted uses (either by right or by special use permit) in the MU-1 zoning district.

## Environmental impacts and constraints

Following a Basic Level review of the site, the City's Environmental Coordinator determined that there are no major environmental impacts and constraints associated with this developed property and with this petition. The property is located in FEMA Flood Zone X, outside of the 100-500-year floodplain.

Respectfully submitted,



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Principal Planner

Prepared by:



Dean Mimms, AICP  
Lead Planner

**Table 1**

**Adjacent Existing Uses**

<b>North</b>	Office complex (Waterford Park)
<b>South</b>	Shopping center (Hunters Crossing) – Across NW 53 <sup>rd</sup> AVE
<b>East</b>	GRU sub-station facility - Across NW 43 <sup>rd</sup> ST
<b>West</b>	Office complex (Waterford Park); Single-family residence (in Ashton neighborhood)

**Adjacent Zoning and Land Use**

	<b>Zoning Category</b>	<b>Land Use Category</b>
<b>North</b>	General office district	Office
<b>South</b>	Planned development district	Mixed-Use Low-Intensity (8-30 units per acre)
<b>East</b>	Public services & operations district	Public Facilities
<b>West</b>	General office district; RSF-1: 3.5 units/acre single-family residential district	Office; Single-Family (up to 8 units per acre)

**List of Appendices**

**Appendix A Comprehensive Plan GOPs**

Exhibit A-1 Future Land Use Element

**Appendix B Supplemental Documents**

Exhibit B-1 Aerial

Exhibit B-2 Map: Existing Zoning

Exhibit B-3 Map: Proposed Zoning

Exhibit B-4 Mixed use low intensity district (MU-1)

Exhibit B-5 Trip Generation Analysis

**Appendix C Application and Neighborhood Workshop information**

Exhibit C-1 Application and Neighborhood Workshop information