

**Petition 154LUC-04 PB, Legislative Matter No. 040660**  
**City Plan Board and Staff Conditions**  
**April 21, 2005**

**Condition 1.** The Planned Development ordinance and development plan review shall ensure adequate access. There shall be no access from SW 13<sup>th</sup> Street.

**Condition 2.** The maximum allowable non-residential floor area shall be 40% of residential floor area existing but shall not exceed 32,000 square feet.

**Condition 3.** The planned development district must be adopted by the city commission within eighteen (18) months of adoption of the Land Use ordinance. The Planned Use Overlay shall revert back to the underlying land use if the PD (Planned Development) zoning expires and becomes void. To re-establish the PUD a new application and consideration by the City Plan Board and City Commission will be required.

*City of*  
**Gainesville**

Inter-Office Communication

Planning Division  
X5022, FAX x2282, Station 11

Item No. 5

TO: City Plan Board

DATE: April 21, 2005

FROM: Planning Division Staff

SUBJECT: Petition 154LUC-04PB: Causseaux & Ellington, Inc., agent for Trimark Corporation. Amend the City of Gainesville 2000-2010 Future Land Use Map from RH (residential high density) to a mixed use PUD (planned unit development). Located at 1231 Southwest 3rd Avenue. Related to Petitions 155PDV-04 PB and 179ZON-04 PB.

**Recommendation**

**Planning staff recommends approval of Petition 154LUC-04 PB with conditions.**

**Explanation**

This petition is a request to change the land use of a group of parcels located between SW 3<sup>rd</sup> and 4<sup>th</sup> Avenues, along the east side of SW 13<sup>th</sup> Street. The proposed change will affect tax parcel number 13074-000-000 lots 3, 4, 5 and the north one-half of lot 2, Block Four (4) of University Heights, which comprises a total of 0.68 acres. The properties have a land use designation of Residential High-Density (8-100 units per acre). According to Residential High-Density Land Use Category, secondary retail and office uses may be allowed but it shall not exceed 25% of the proposed residential floor area. Due to a proposed development exceeding the 25% limit, a request to amend the land use and zoning has been submitted for consideration. The owners of the property is requesting a land use change that would overlay the PUD land use designation over the existing RH land use designation. The resulting PUD overlay would allow an increase in the amount of non-residential uses allowed as it relates to proposed residential floor area constructed. The request is for 40,000 square feet of non-residential use. Based on the application, the requested amount is approximately 50% of the proposed 80,000 square feet of residential floor area proposed. The proposal of 40 dwelling units on 0.68 acres will result in a density of 58.8 units per acre, which is within the allowable base density of 80 dwelling units per acre. Surrounding land uses are shown on the attached Maps 2A.

**Surrounding Land Uses and Existing Conditions**

The property is located between SW 3<sup>rd</sup> and 4<sup>th</sup> Avenues, immediately east of SW 13<sup>th</sup> Street. It extends eastward to an existing alley, which is approximately 130 feet from SW 13<sup>th</sup> Street. Map 2A shows the distribution of land uses on the site and in the immediate area. As shown on Map 2A, R-H (Residential High density, 8–100 units per acre), exists on the north, east and south and

E (Education) exist on the west side, across SW 13<sup>th</sup> Street. The south portion of the property is developed with a two-story building used for residential and offices. The larger northern portion is devoted to surface vehicle parking for an existing multi-family development.

### **Proposed Uses**

The applicant is proposing a mixed-use development of 40 dwelling units (80,000 square feet of floor area) and 40,000 square feet of commercial and office uses. The uses are proposed to be integrated and occupy the entire site. No information is provided about the number of buildings or the number of square footage that would be devoted to each type of non-residential use.

### **Environmental Constraints**

The subject property is currently developed and will not have any additional negative impacts on the natural environmental resources.

### **Access**

The location of the subject property in terms of an efficient road network works well for the site. It is adequately served by three well-improved streets and can be accessed directly from any one. Although no access is proposed or recommended off SW 13<sup>th</sup> Street, adequate, alternate access points can be located that would ensure compliance with the transportation mobility element of the comprehensive plan.

**Condition 1.** The Planned Development ordinance and development plan review shall ensure adequate access. There shall be no access from SW 13<sup>th</sup> Street.

### **Overall Compatibility, Density and Intensity of the Proposed Development**

The residential portion of the development is proposed at 58.8 dwelling units per acre. This density is within the allowable land use density of 0 to 100 dwelling units per acre. The focus of the proposed change is on the amount of 40,000 square feet of non-residential use proposed. This amount is significantly more, 100% above what is allowed under the existing land use designation. In reviewing the request, staff examined the intent of the land use plan, Special Area Plan, the existing zoning districts, the surrounding uses and the size of the property. Staff has determined that the mix of uses is consistent with plans, goals and objectives for the area, however, it is staff's opinion that the requested square footage total of 40,000 square feet may not be consistent with the overall intent of the plans for the general area.

In the PD rezoning report, staff outlined some of the site constraints and practicality of the development, which led to recommending a reduction in the amount of non-residential uses. The percentage recommended is more proportionate to the size of the subject parcel, the number of dwelling units and amount of residential floor area proposed. Staff has determined that this recommendation will better serve the interests, community values and growth of the site and surrounding developments.

**Condition 2.** The maximum allowable non-residential floor area shall be 40% of residential floor area existing but shall not exceed 32,000 square feet.

**Condition 3.** The planned development district must be adopted by the city commission within eighteen (18) months of adoption of the Land Use ordinance. The Planned Use Overlay shall revert back to the underlying land use if the PD (Planned Development) zoning expires and becomes void. To re-establish the PUD a new application and consideration by the City Plan Board and City Commission will be required.

### **Promotes Urban Infill**

The development is proposed in an area completely surrounded by development. It has a large portion devoted to surface parking, which can be placed in a more productive and compatible uses. It therefore qualifies as a project that promotes urban infill. It attempts to maximize allowable densities in the area; because of its proximity to the university and other market areas, it supports the city's goal of promoting pedestrian activity, movement and reduced automobile activities.

Respectfully submitted,



Ralph Hilliard  
Planning Manager

RH:lc

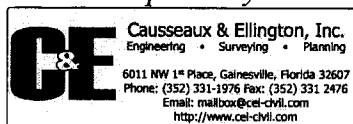


**GATOR ESTATES**

**Planned Use District  
Comprehensive Plan Amendment  
Justification Report**

*Prepared for:*  
Trimark Corporation

*Prepared by:*



October 2004

1. **Cover Letter**
2. **Application for City Plan Board**
3. **Application for Concurrency Certification**
4. **Legal Description**
5. **Property Tax Parcel Record**
6. **Tax Records / Proof of Payment**
7. **Neighbor Notification Materials**
8. **Report**
  - A. **Body**
  - B. **Illustrations**

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**GATOR ESTATES  
PLANNED USE DISTRICT  
JUSTIFICATION REPORT**

**CONSISTENCY WITH COMPREHENSIVE PLAN**

**The following is a description of the proposed project's consistency with the City of Gainesville's Comprehensive Plan. With regard to the Planned Unit District, the adopted City of Gainesville 2000-2010 Comprehensive Plan states:**

*This category is an overlay land use district which may be applied on any specific property in the City. The land use regulations pertaining to this overlay district shall be adopted by ordinance in conjunction with an amendment to the Future Land Use Map of this comprehensive plan. The category is created to allow the consideration of unique, innovative or narrowly construed land use proposals that because of the specificity of the land use regulations can be found to be compatible with the character of the surrounding land uses and environmental conditions of the subject land. This district allows a mix of residential and non-residential uses and/or unique design features which might otherwise not be allowed in the underlying land use category. Planned Development zoning shall be required to implement any specific development plan under a PUD.*

The Gator Estates development proposes a Future Land Use change from Residential High to Planned Use District. While Residential High allows a limited amount of secondary retail and office uses scaled to serve the immediate neighborhood, the amount may not exceed 25% of the residential floor area. Gator Estates proposes up to 80,000 sq. ft. of residential uses; the project's proposed 40,000 sq. ft. of combined commercial and office uses are equivalent to 50% of the residential uses and exceed the 25% standard and therefore requires a Small-Scale Comprehensive Plan Amendment to the Future Land Use Map.

The total amount of nonresidential uses will be appropriately scaled to serve the University Heights neighborhood and will not exceed 40,000 sq. ft., although the relative proportion of secondary retail and office uses will be determined by market conditions and be subject to change. Except as expressly provided, development standards will be consistent with the Residential High-Density Future Land Use classification and the University Heights Special Area Plan. In addition, the location, or placement of uses within the project site's boundaries will be determined during the site plan review process and by the Planned Development Zoning district created to implement the Planned Use District Future Land Use.

Existing development on the site is the Courtyard's Apartments, which currently uses a portion of the proposed site as an automobile parking area. The Courtyard's Apartments has 90 dwelling units on their 1.5 acre site, which is equivalent to 60 units per acre and meets the requirements of the Residential High-Density Future Land Use for density between 8-100 units per acre. The parking area that will be lost as a result of the proposed project has not previously been used as part of the density calculation for this site. Moreover, the loss of parking area is consistent with the University Heights Special Area Plan, which does not stipulate a minimum automobile parking requirement. The intent of the Future Land Use change is to enable the creation of a mixed-use urban development while promoting the character desired in a

traditional neighborhood. The change will promote positive and profitable infill redevelopment while strengthening property values and enhancing aesthetic appeal. This site is within the University Heights Special Area Plan, the City of Gainesville Enterprise Zone Area 3, and the Community Redevelopment Area. The SW 13<sup>th</sup> Street Corridor has a growing professional ambiance that would be strengthened by the Future Land Use Map Amendment to Planned Use District.

Although the adjacent property in the same block has a Residential High-Density Future Land Use classification, much of the area surrounding the project site is of a mixed-use character. To the immediate north and south are Greek student housing and The Courtyards apartment complex is adjacent to the east. The University of Florida administration building, Tigert Hall, is directly west of the project site. Beyond the immediate student housing, there is a large block of Educational Future Land Use to the south at Norman Hall, and other non-residential uses to the east and northeast such as Shands at Alachua General Hospital. The close proximity of professional and commercial space to residential properties will encourage pedestrian accessibility and reduce reliance on vehicular travel.

An innovative and narrowly construed proposal, consistent with the City of Gainesville's Comprehensive Plan, Land Development Code, and University Heights Special Area Plan, has been prepared for this site. This report identifies relevant Goals, Objectives, and Policies and demonstrates the compatibility and justification for the Future Land Use Map Amendment. This report, and the accompanying Planned Development rezoning report, fully discusses the project's density and intensity, permitted uses, multi-modal access, trip generation, and compatibility.

The specificity of the Planned Use District Future Land Use classification seeks to achieve compatibility with surrounding land uses and character. The existing classification does not afford the required flexibility that an infill project such as this requires. The Planned Use District Future Land Use classification also enables and promotes further design and regulatory elements that serve to create a more defined and compatible project within the context area.

In brief, the development proposes a mix of residential, commercial, and professional uses along SW 13<sup>th</sup> Street, between SW 3<sup>rd</sup> Avenue and 4<sup>th</sup> Avenue. The site's proximity to the University of Florida and the central urban area encourages pedestrian, bicycle, and transit travel.

**The following sections analyze and discuss the compatibility with the City of Gainesville's 2000-2010 Comprehensive Plan Future Land Use Element and the Planned Use District Future Land Use Classification.**

### **FUTURE LAND USE ELEMENT**

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

*Policy 4.1.3 The City will review proposed changes to the Future Land Use Map by considering factors such as, but not limited to, the following:*

- 1. Overall compatibility of the proposal;*
- 2. Surrounding land uses;*
- 3. Environmental impacts and constraints;*
- 4. Whether the change promotes urban infill; and*
- 5. Whether the best interests, community values, or neighborhood support is achieved.*

The underlying Residential High Future Land Use classification of the .68 acres contained between SW 3<sup>rd</sup> Avenue and 4<sup>th</sup> Avenue along SW 13<sup>th</sup> Street only allows up to 25% of the residential floor area as commercial use. However, Gator Estates proposes up to 40,000 sq. ft. of commercial uses, which would exceed the 25% threshold within the Residential High-Density classification. In addition, the proposed amendment will stimulate infill development by placing a balanced mix of uses adjacent to the University of Florida and within walking distance of Shands Hospital, the Veterans Administrative Hospital, Shands at Alachua General Hospital, and numerous other employment opportunities.

**CONSISTENCY WITH FUTURE LAND USE MAP**

The redevelopment is within the University Heights Special Area Plan – the project is a Future Land Use change from Residential High to Planned Use District. The project's overall gross density is consistent with the site's existing Residential High Land Use District criteria (8-100 units/acre). The Planned Use District overlay will maintain the development in a manner complementary to both the context area and the character of the surrounding area. City of Gainesville Comprehensive Plan 2000-2010, Future Land Use Element.

As shown in Table 1, the existing Future Land Use in close proximity to the educational institution and Residential High introduction of the project into the context area will gain neighborhood vitality and sponsor numerous secondary support activities, such as retail, professional, and service demand. In addition, employment opportunities will be created through construction of the development and through the future commercial use of the structure.

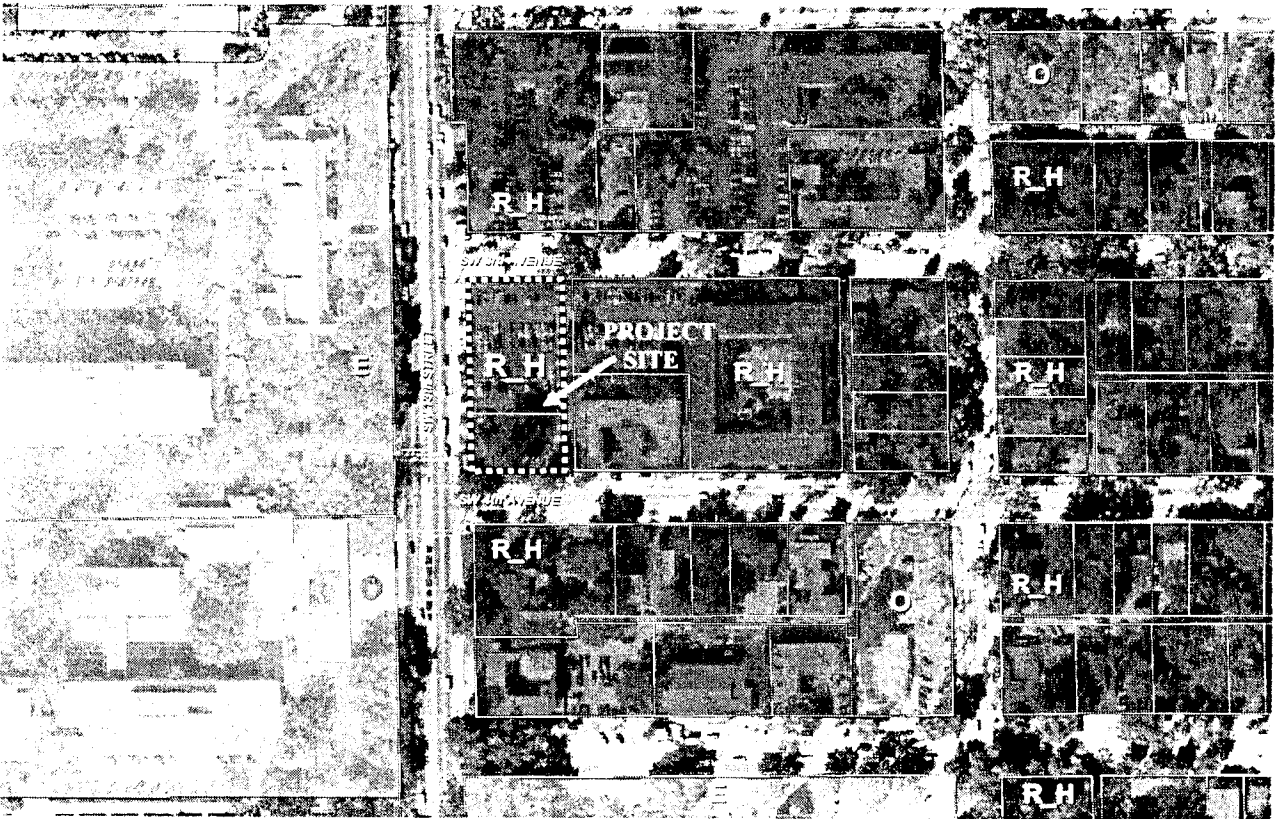


Figure 1. Existing Future Land Use

Table 1: Surrounding Future Land Use

DIRECTION	FUTURE LAND USE	PARCEL
South	Residential High	1096
East	Residential High	1078, 1080
South	Residential High	1120, 1122, 1124
West	Educational I-1	175, 175, 176
West	Educational I-1	177, 178, 179