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**Petition 115LUC-07PB, Legislative Matter No. -----
City Plan Board and Staff Conditions
January 28, 2008**

Condition 1. The permitted land uses shall be limited to office or residential with an accessory eating place (café).

Condition 2. The eating place (café) shall be limited to 874 square feet (32.1%) of the existing 2,638 square foot, two story office building, 184 square feet of outdoor porch waiting area and 433 square feet of outdoor paved café plaza area. The area of the café and its percentage of building and site area shall not expand over time. The remaining square footage shall be used for office or residential use only.

Condition 3. The petitioner shall provide no less the 17% site open space including the outdoor plaza area.

Condition 4. An application for a Certificate of Final Concurrency must be submitted with the final site plan application.

Condition 5. The Planned Use District land use category does not vest the development for concurrency. The owner/developer is required to apply for and meet concurrency management certification requirements, including all relevant Transportation Concurrency Exception Area standards, at the time of application for a Planned Development.

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GAINESVILLE

INTER-OFFICE COMMUNICATION

Item No. 2

TO: City Plan Board

DATE: November 15, 2007

FROM: Planning Division Staff

SUBJECT: Petition 115LUC- 07 PB, Joe Montalto, agent for Jay and Michelle Reeves. Amend the 2000-2010 Gainesville Future Land Use Map from O (office - up to 20du/ac) to PUD (planned use district) to allow a small neighborhood café as an accessory use within an Office Land Use district. Located at 725 Northeast 1st Street. Related to Petition 112PDV-07PB.

Recommendation

Staff recommends approval of Petition 115LUC-07PB, with staff conditions.

Explanation

The purpose of this PUD land use proposal is to allow a small, pedestrian oriented neighborhood café. The neighborhood café will be established within an existing two-story historic structure which is currently being used as a professional office building for an architectural firm. In addition, the building's owner/s are currently in the final stages of restoration of the historic building. The existing structure is located within the Northeast Residential Historic District and also within a special overlay design area known as the Traditional City Special Area Plan. The Traditional City designation has been established to improve the sense of place and community; strike a balance between the needs of the car and pedestrian by creating a pleasant ambiance and interesting people scaled features.

The unique aspect of this location is its pedestrian accessibility. It can be accessed via tree lined neighborhood streets that encourage patrons to walk and not drive to this destination. The addition of the café should contribute to the vitality of the area.

The applicant's request is for a neighborhood café to be open for breakfast and lunch six (6) days a week from 7:00 AM to 4:00 PM. The proposed development is unique and will provide an eatery within a short walking distance of the many attorney's offices, City offices, and residences and will be across the street from a multi-family building. The scale of the eatery will be small providing a total of no more than 30 seats. The total of 30 seats will be divided between the interior of the building and a new courtyard area to the rear of the lot. The courtyard will provide seating in a garden setting complete with a water feature and extensive landscaping.

The proposed use will also require a rezoning from OR (office residential – up to 20 du/ac) to PD (planned development). This petition is related to Petition 112PDV-07PB.

Existing Conditions

The proposed 0.24 acre site lies within the City of Gainesville in the Northeast Historic District, Traditional City Special Area Plan and across the street from the Downtown Redevelopment District. The project site contains a recently renovated two story 100 year old historic structure that contains offices with associated parking and landscaping. The property sat vacant and in disrepair until renovations were completed in April, 2007. The structure is situated at the corner of Northeast 8th Avenue and Northeast 1st Street, the corner of the Northeast Historic District and neighborhood known as the Duckpond. Northeast 1st Street was originally East Main Street and was historically a mixed use street with residential, churches, professional offices and retail stores, City Hall, County Courthouse and terminated at the Federal Courthouse/ post office (Hippodrome State Theatre). The proposed café addition to this property will further enhance a successful redevelopment of the Downtown core and Historic Neighborhood and compliment the mixed-use nature of this significant boulevard where the Spring Arts Festival is annually held. The only nearby food and beverage location is a convenience store located diagonally across 8th Avenue which functions primarily as a gas station. The north end of Northeast 1st Street and the neighborhood has a heavy concentration of professional offices and services including a large City Office Complex a couple of blocks from the proposed site offering great potential for pedestrian traffic that will meet the goals of the Traditional City Overlay District.

Proposed Uses

The petitioner is proposing to establish a small neighborhood café with an outdoor plaza area located to the rear of the building and site. The development proposal is for the café to be opened to serve breakfast and lunch six (6) days a week from 7:00 AM to 4:00 PM. The scale of the eatery will be small providing a total of no more than 30 seats. Staff feels that the operation of the café should be limited to the normal work week to reduce the impact on the adjacent residential properties along Northeast 2nd Street. Weekend operation will generate more traffic and activity than current residents are accustomed to.

Condition 1. The permitted land uses shall be limited to office or residential with an accessory eating place (café).

Environmental Constraints

The 0.23 acre site is already intensely developed and there are no apparent environmental constraints to the development of the café. The proposed outdoor plaza element of the café is to be located within an existing pervious landscape area.

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Access

The site has two existing ingress/egress transportation access locations serving the subject property. There is currently a 14 foot wide, one-way-in access curb-cut (expands to 26 drive) from Northeast 1st Street to a 9 space parking lot. In addition, there is also a 23-foot wide, two-way drive providing access from Northeast 8th Avenue to the same parking lot. There are no plans to revise the access drives or the parking lot.

Intensity of Development

The petitioner is proposing an accessory use (small neighborhood café) to the principal use which is the operation of a professional architectural office. The idea is to create a small, unique café that will provide an eatery within a short walking distance of the many attorney's offices, city offices and residences located in the immediate area. The operative word in the petitioner's proposal is "Small".

Condition 2. The eating place (café) shall be limited to 874 square feet (32.1%) of the existing 2,638 square foot, two story office building, 184 square feet of outdoor porch waiting area and 433 square feet of outdoor paved café plaza area. The area of the café and its percentage of building and site area shall not expand over time. The remaining square footage shall be used for office or residential use only.

Setbacks, Buffers and Environmental Issues

The 0.24 acre project site is bordered by RMF-8 residential zoning (multi-family highrise) to the north across Northeast 8th Avenue, RMF-5 residential zoning (single-family residences) immediately to the east, OR zoning (office) to the south and OR and MU-1 zoning (offices) across Northeast 1st Street to the west. The current land uses surrounding the project to the north and east are multi-family and single-family residential. The current land uses to the south and west are professional offices. There is currently a 6-foot high stockade fence along the east property line between the office building and the single-family residences to the east. The petitioner is proposing to remove an existing chain link fence located along a portion of the south property line and replace it with a 6-foot high wood stockade fence in the area of the outdoor plaza.

Condition 3. The petitioner shall provide no less the 17% site open space including the outdoor plaza area.

Trip Generation

The petitioner has submitted a trip generation statement based upon the maximum development entitlement established by the associated PD. In addition, the petitioner has submitted an application for Preliminary Concurrency Certification to the City of Gainesville Planning and Development Services Department for the associated PD. This

development is located in Zone A of the Transportation Concurrency Exception Area (TCEA). The estimated net, new trip generation is estimated at 152.90 average daily trips (with trip credits for the existing office use that will change to the café use). Trip generation must be updated to match the latest square footages and uses proposed at the site. The site is located approximately 260 feet east of Main Street, a four-lane arterial highway. The only proposed addition to the site is an additional sidewalk connection to Northeast 1st Street.

Condition 4. An application for a Certificate of Final Concurrency must be submitted with the final site plan application.

Condition 5. The Planned Use District land use category does not vest the development for concurrency. The owner/developer is required to apply for and meet concurrency management certification requirements, including all relevant Transportation Concurrency Exception Area standards, at the time of application for a Planned Development.

Sidewalks, Trails and Bikeways

The proposed café is located on the corner of Northeast 8th Avenue and Northeast 1st Street where there are existing sidewalks. Bike traffic is relegated to the adjacent road system/s. The property has 3 existing bike racks for 6 bikes. The site is located one short block from North Main Street where Regional Transit Route 15 operates on weekdays and Saturdays.

<u>Applicant Information</u>	Joe Montalto, agent for Jay Reeves.
<u>Request</u>	Amend the Future Land Use Plan Map designation from O (office, up to 20 dwelling units per acre) to PUD (planned use district) to allow a small neighborhood café as an accessory use to the principal use/s of office and residential, up to 20 dwelling units per acre.
<u>Land Use Plan Classification</u>	O (office and residential, up to 20 dwelling units per acre).
<u>Existing Zoning</u>	OR (office residential, up to 20dwelling units per acre).
<u>Purpose of Request</u>	The purpose of the request is to allow the establishment of a pedestrian oriented neighborhood café in an office/residential district.
<u>Location</u>	725 Northeast 1 st Street.

Size 0.23 acres more-or-less.

Existing Use The existing use of the two-story historic office building is an architectural office.

Surrounding Land Uses North - Multi-family residential.
East - Single-family residential.
South - Professional office building.
West - Professional office buildings/Auto Repair.

<u>Surrounding Controls</u>	<u>Zoning</u>	<u>Land Use Plans</u>
North	RMF-8	RM
East	RMF-5	RL
South	OR	O
West	OR/MU-1	O

Recent Land Use History

There have been no recent land use changes. The building was built by J.H. Vidal who had a grocery store located to the south on Northeast 1st Street and originally was a residence. The structure was converted to an office use in 1976, and like most of the historic houses on this street has continued with commercial use. The exterior facades have been restored to their original appearance in the 2007 renovation.

Impact on Affordable Housing

There should be no significant impact either positive or negative.

Comprehensive Plan Goals, Objectives and Policies of the Future Land Use Element met by this proposal:

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.

Objective 1.1 Adopt city design principles, which adhere to timeless (proven successful), traditional principles.

Policy 1.1.2 To the extent possible, neighborhoods should be sized so that housing, jobs, daily needs and other activities are within easy walking distance of each other.

Policy 1.1.4 The city and its neighborhoods, to the extent possible, shall have a center focus that combines commercial, civic, cultural and recreational uses.

Objective 1.4 Adopt land development regulations that promote mixed-use development within the City.

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 the blighted areas, discourage urban sprawl and foster compact development patterns that promote transportation choice.

Policy 2.1.1.d The City should encourage retail and office development to be placed close to the street-side sidewalk.

Planned Use District

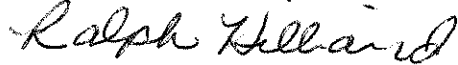
This category is an overlay land use district that may be applied on any specific property in the City. The land use regulations pertaining to this overlay district shall be adopted by ordinance in conjunction with an amendment to the Future Land Use Map of this comprehensive plan. The category is created 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. This category shall allow traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance. Each adopting PUD overlay land use designation shall address density and intensity, permitted uses, access by car, foot, bicycle, and transit, trip generation and trip capture, environmental features and, when necessary, buffering of adjacent uses. Planned Development zoning shall be required to implement any specific development plan under a PUD. In the event that the overlay district has been applied to a site and no planned development zoning has found approval by action of the City Commission within 18 months of the land use designation, the overlay land use district shall be deemed null and void and the overlay land use category shall be removed from the Future Land Use Map, leaving the original and underlying land use in place.

City Plan Board
Petition 115LUC-07PB
November 15, 2007

07 08 18

In conclusion, staff is recommending approval of **Petition 115LUC-07PB** with the above-mentioned conditions and based on department comments.

Respectfully submitted,



Ralph Hilliard
Planning Manager

Petition 115LUC-07PB Joe Montalto, agent for Jay and Michelle Reeves. (Fat Tuscan Neighborhood Café LUC.) Amend the City of Gainesville 2000-2010 Future Land Use Map from O (Office up to 20 du/acre) to PUD (Planned Use District) to allow a small neighborhood café as an accessory use within an Office Land Use District. Zoned: OR (Office Residential district). Located at 725 Northeast 1st Street. Note: Related to 112PDV-07PB.

Please see petition 112 LUC-07 PB for scope and details.

Motion By: Randy Wells	Seconded By: Bob Cohen
Moved To: Approve with Staff's conditions.	Upon Vote: 7 - 0.