

TO: City Plan Board

Item Number: 3

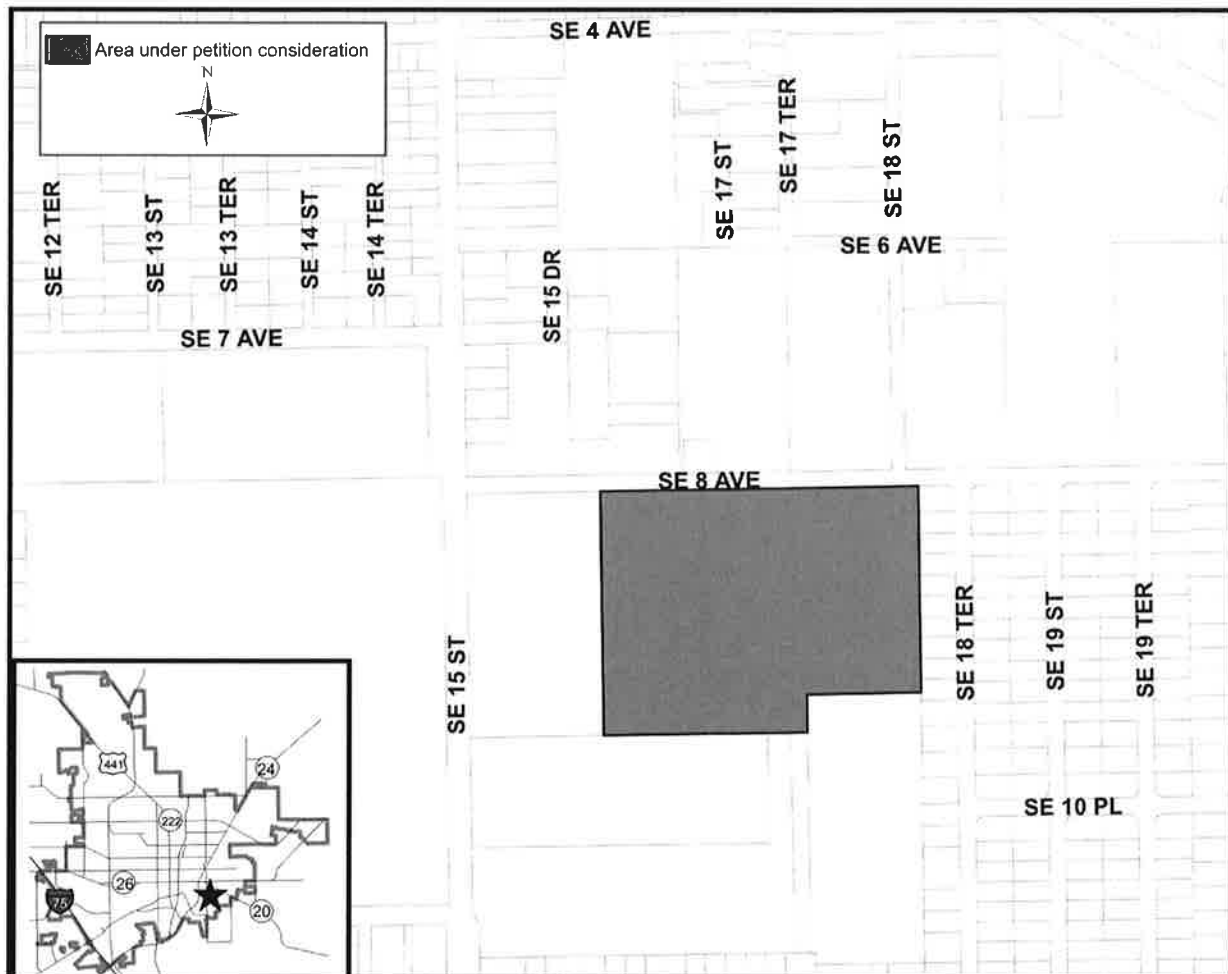
FROM: Planning & Development Services Department
Staff

DATE: October 22,
2015

SUBJECT: Petition PB-15-89 LUC. eda engineers-surveyors-planners, inc., agent for City of Gainesville. Amend the City of Gainesville Future Land Use Map from Residential Medium-Density (8-30 units/acre) to Residential Low-Density (up to 12 units/acre). Located in the 1600 Block of SE 8th Avenue. Related to Petition PB-15-90 ZON.

Recommendation

Staff recommends approval of Petition PB-15-89 LUC.



Description

This is a request to change the land use of a property from RM (Residential Medium-Density (8-30 units/acre)) to RL (Residential Low-Density (up to 12 units/acre)) to allow a mixed (attached- and detached- unit) single-family housing development. This petition for a large-scale amendment of the Future Land Use Map pertains to a previously developed and subsequently cleared, approximately 15-acre property (see map on previous page) located on the south side of SE 8th Avenue, approximately 400 feet to the east of SE 15th Street (beyond which are Lincoln Middle School and Williams Elementary School). This property is the site of the former Kennedy Homes apartment complex that suffered a catastrophic fire in the previous decade. The 15-acre property was purchased by the City of Gainesville and the site was cleared in 2007.

This vacant, urban infill site is primed for redevelopment, and a redevelopment plan by the Community Redevelopment Agency (CRA) was approved in December of 2014. The land use change to RL and related rezoning to RMF-5 (12 units/acre single-family/multiple-family residential district) are needed because the redevelopment plan for 38 single-family units (attached and detached) does not meet the 8-unit per acre minimum density requirement of the existing Residential Medium-Density (8-30 units per acre) land use and of the existing RMF-7 (8-21 units/acre multiple-family residential district) zoning.

This petition is related to Petition PB-15-90 ZON, which proposes a zoning change from the RMF-7: 8-21 units/acre multiple-family residential district to RMF-5: 12 units/acre single-family/multiple-family residential district.

This property abuts Mixed-Use Low-Intensity (8-30 units per acre) land use to the west, Residential Medium-Density (8-30 units/acre) (RM) and Recreation land use to the south, Single-Family (up to 8 units per acre) land use to the east, and Residential Low-Density (up to 12 units per acre) (RL) across S.E 8th Avenue to the north. The adjacent property to the west is vacant, as are the RM land to the south and the RL land to the north (across S.E. 8th Avenue). An established, single-family neighborhood (part of Lincoln Estates) is to the east, and a recreation complex of the Rotary Boys and Girls Club of Alachua County is south of the eastern third of the property.

See Table 1 on Page 12 for a tabular summary of adjacent existing uses and adjacent zoning and land use categories.

See Exhibit B-1 for an aerial photograph of the property and surrounding area. Exhibits B-2 and B-3 are maps that show the existing and proposed land use categories.

Key Issues

- The proposed large-scale amendment to Residential Low-Density (RL) (up to 12 units per acre) is consistent with the City's Comprehensive Plan and supports residential development in an appropriate location.
- The proposed RL land use is consistent with the City's urban infill and redevelopment goals and is needed for implementation of the approved CRA redevelopment plan for this property.

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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

This land use petition is consistent with the overall goal (Goal 1 of the Future Land Use Element (FLUE)) of the City to improve the quality of life and achieve a sustainable development pattern, in part by creating and maintaining choices in housing. The proposed land use change to Residential Low-Density (up to 12 units per acre) is also consistent with Policies 1.1.1 and 1.1.3, Objective 1.5, Goal 2, Objective 2.1, and Policies 2.1.1 and 4.1.1, which are included below. See Exhibit A-1 (Comprehensive Plan GOPs) for other pertinent policies of the Comprehensive Plan.

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 1.1.1 To the extent possible, all planning shall be in the form of complete and integrated communities containing housing, shops, workplaces, schools, parks and civic facilities essential to the daily life of the residents.

Policy 1.1.3 Neighborhoods should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.

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 2.1.1 The City shall develop recommendations for areas designated as redevelopment areas, neighborhood centers and residential neighborhoods in need of neighborhood enhancement and stabilization.

- a. The City should consider the unique function and image of the area through design standards and design review procedures as appropriate for each redevelopment area;
- b. The City should include in its redevelopment plans recommendations regarding economic development strategies, urban design schemes, land use changes, traffic calming, and infrastructure improvements;
- c. The City should identify potential infill and redevelopment sites; provide an inventory of these sites; identify characteristics of each parcel, including land development regulations, infrastructure availability, major site limitations, and available public assistance; and develop a strategy for reuse of these sites;
- d. The City should encourage retail and office development to be placed close to the streetside sidewalk.

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

Residential Low-Density (up to 12 units per acre)

This land use category shall allow dwellings at densities up to 12 units per acre. The Residential Low-Density land use classification identifies those areas within the City that, due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for single-family development, particularly the conservation of existing traditional low density neighborhoods, single-family attached and zero-lot line development, and small-scale multi-family development. Land development regulations shall determine gradations of density, specific uses and performance measures. Land development regulations shall specify criteria for the siting of low-intensity residential facilities to accommodate special need populations and appropriate community level institutional facilities such as places of religious assembly, public and private schools other than institutions of higher learning, and libraries. Land development regulations shall allow home occupations; accessory units in conjunction with single-family dwellings; and bed-and-breakfast establishments within certain limitations.

2. Compatibility and Surrounding Land Uses

The proposed Residential Low-Density (up to 12 units per acre) (RL) land use is compatible with the surrounding area and land uses. This property abuts an undeveloped property with Mixed-Use Low-Intensity (8-30 units per acre) (MUL) to the west, a developed, established neighborhood (Lincoln Estates) with Single-Family (up to 8 units per acre) (SF) land use to the east, undeveloped property with Residential-Medium Density (8-30 units per acre) (RM) land use to the south, and Recreation (REC) land use to the south with playing fields and indoor

recreation facilities of the Rotary Boys and Girls Club of Alachua County. Vacant land with Residential Low-Density (up to 12 units per acre) land use is across S.E 8th Avenue to the north.

3. Environmental Impacts and Constraints

This petition is limited to changing the land use category of property that is currently undeveloped. The majority of the property is located in FEMA Flood Zone X, and a smaller portion on the eastern side of the property is in FEMA Flood Zone A. FEMA Flood Zone X corresponds to areas outside the 100-year floodplains, areas of 100-year sheet flow flooding where average depths are less than 1 foot, areas of 100-year stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 100-year flood by levees.). FEMA Flood Zone A corresponds to a 1 percent chance every year that flood waters will inundate the area, or 100 percent chance over a 100-year period. Zone A floodplains are determined by approximate methods. See Exhibit B-4 for a map of the FEMA flood zones.

The following comments were provided in a September 21, 2015 memorandum from the City's Environmental Coordinator:

“The subject petitions for a proposed change in land use and zoning for a 15 acre parcel (16102-000-000), have been reviewed for considerations relating to any environmental resources present on or immediately adjacent which might be regulated by City Land Development Code 30-300 *Regulated Surface Waters and Wetlands*, or 30-310 *Regulated Natural and Archaeological Resources*. The petition proposes a land use change from Residential Medium Density (RM) to Residential Low Density (RL), and rezoning from Multi-Family Medium Density Residential (RMF-7) district to Multi-Family Low Density Residential (RMF-5) district. The parcel is located on the south side of SE 8th Avenue, just east of SE 15th Street, on the site of the former Kennedy Homes.

The subject parcel is situated in the Calf Pond Creek watershed of southeast Gainesville. Calf Pond Creek is a stream-to-sink basin with headwaters originating in the long established residential neighborhoods and school grounds (Lincoln and Williams Schools) south of Hawthorne Road and east of Williston Road. Ephemeral urban flows through ditches, swales, road drainage systems, and channelized stream sections of the upper basin of this creek system converge near the City Limits east of McPherson Park, forming a relatively natural, perennially flowing creek which runs east into Alachua County to Calf Pond, east of Kincaid Road.

Drainage swales and ditches of the type described above run through the east and southeast part of the subject parcel. An open channel ditch, as classified by the City Public Works Department (also classified as a regulated surface water by the St. Johns River Water Management District), conveys drainage from the flat, poorly drained terrain of this local area due south approximately one-third mile through single-family residential neighborhoods to a point of connection with the first regulated creek segment of Calf Pond Creek. Thus, the ditches and swales on and adjacent to the subject parcel are not regulated creeks pursuant to 30-300, *Regulated Surface Waters and Wetlands*. A disturbed, low quality wetland area which is heavily impacted by historic ditching, spoiling, and dumping, is present adjacent to the ditch running south through the east side of the parcel, and this wooded wetland area is regulated under this code section. Development activity

proposed within the regulatory boundary of this area would be required to comply with Section 30-300 *Regulated Surface Waters and Wetlands*.

Based on information provided in an environmental assessment performed by McAlpine Environmental Consulting, Inc., one listed species, the gopher tortoise, may be present on the subject property. During field surveys performed on January 30 and February 12, 2014, McAlpine located two tortoise burrows on the site. Pursuant to Section 30-310 *Regulated Natural and Archaeological Resources*, any land use and development activity proposed on the subject parcel must provide assessment, protection, and management of the regulated natural and archaeological resources which are present. State regulations provide guidelines and permitting requirements for management of gopher tortoises. In this situation, relocation of the tortoise(s), if present at the time of development, is a viable alternative to onsite protection and management, and is an approvable form of compliance with Section 30-310. However, specific development activities proposed for management of the listed species, gopher tortoise, must be coordinated with the City Environmental Coordinator for a specific determination of compliance. No other natural or archaeological resources regulated by City code have been identified on or adjacent to the property.

The conceptual development plan alternatives presented with the petition appear to give adequate space to a natural corridor along the east side of the parcel, in which the majority of the forested cover area, wetland, and surface water (ditch) are located. The creation of an integrated stormwater basin along the western boundary of this forested wetland system, appears to provide the avoidance and buffer required by code, as well as an opportunity for improvements of the existing conditions of this disturbed ditch and wetland area, possibly enhancing its functional values. No other environmental resource issues exist for the proposed use and development of the largely cleared uplands which remain after demolition of the old Kennedy Homes project and comprise the majority of the property.”

4. Support for Urban Infill and/or Redevelopment

This proposed large-scale land use amendment is consistent with the City’s infill goals, which include discouragement of the proliferation of urban sprawl (Future Land Use Element Objective 1.5, see page 3 of this report). It is also consistent with the City’s redevelopment goals, which include Goal 2, Objective 2.1 and Policy 2.1.1 (see pages 3 and 4 of this report). The proposed RL land use and related rezoning to RMF-5 are needed in order to implement the redevelopment plan approved by the Community Redevelopment Agency in December of 2014 (see Exhibit C-1 – Application, for CRA Redevelopment Plan for Kennedy Homes that is within the Land Use Change & Rezoning Justification Report).

5. Impacts on Affordable Housing

The proposed large-scale land use amendment will have no impact on the supply of potential affordable housing in the City. Although the proposed RL land use provides for a decrease in density relative to the existing RM land use category for this property that was cleared and has been vacant since 2007, the proposed RL land use and the related, proposed RMF-5 zoning are needed for implementation of the master plan that was approved by the CRA (Community Redevelopment Agency) in December of 2014.

6. Impacts on the Transportation System

There are no major transportation issues associated with the proposed land use change for this undeveloped site that is located within Zone A of the Gainesville Transportation Mobility Program Area (TMPA). The property is served by S.E. 8th Avenue (a 2-lane local, City street with bike lanes on both sides and a sidewalk on the south side only). The closest RTS service is at the intersection of SE 19th Terrace and SE 8th Avenue, approximately 700 feet to the east of the eastern property line. RTS Route 2 (Downtown Station to NE Walmart Supercenter) provides service every 60 minutes Monday – Saturday and no service on Sunday. RTS Route 3 (Downtown Station to N Main Post Office) provides service every 60 minutes on weekdays and no service on weekends.

The proposed land use change from Residential Medium-Density (RM) (8-30 units per acre) to Residential Low-Density (RL) (up to 12 units per acre) will result in a reduction of 18 units per acre in the maximum allowable density, which will therefore result in an overall reduction in trip generation by the proposed RL land use category.

On page 10 of the applicant's Land Use Change & Rezoning Justification Report (see Exhibit C-1, Application), the applicant has compared the estimated trip generation between a hypothetical 21 units per acre, single-family development (21 units per acre is the maximum density under the existing RMF-7 zoning) and one of 12 units per acre (the maximum density allowed under the proposed RL land use and the RMF-5 zoning proposed by related Petition PB-15-90 ZON. The net reduction in total PM peak trips is estimated at 135 and the net reduction in total Average Daily Trips is estimated at 1,285.

The City rescinded transportation concurrency with the adoption of its updated Comprehensive Plan. Therefore, development within TMPA Zone A is not required to meet level of service (LOS) requirements for concurrency, but is required to comply with the TMPA Zone A requirements of Policies 10.1.3 and 10.1.4 of the Transportation Mobility Element (see Exhibit A-1, Comprehensive Plan GOPs).

7. Availability of Facilities and Services

This property is in an urbanized area that is served by public utilities and other public services.

In a September 25, 2105 e-mail, Alice Rankeillor, GRU Utility Engineer stated that: "The property was served by Water and wastewater utilities prior to the demolition of the Kennedy Homes multi-family complex. The new proposed development will require water and wastewater capacity evaluations that will determine if off-site upgrades will be required. If system improvements are needed, the developer of the property will be responsible for the cost of the necessary improvements. 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."

A School Capacity Review for this land use amendment was provided by the Alachua County Public Schools (see Exhibit B-5 - Letter from Alachua County Public Schools) to assess the potential impact of the proposed land use amendment upon school capacity. Because of the decrease in residential density proposed by this comprehensive plan amendment, School Board staff conclude that this “petition results in no net increase in residential units.”

If residential development is proposed on the property, the proposed RL 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 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.

The proposed land use will not impact adopted levels of service for potable water, wastewater water supply, or solid waste, all of which will be reviewed for concurrency at the time of development plan review.

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 is no overall need for the additional RL acreage, but there is a need for the proposed land use category for this particular property, as previously explained. The proposed large-scale land use amendment will add approximately 15 acres to the Residential Low-Density (up to 12 units per acre) (RL) land use category. There are currently approximately 2,127 acres of land in the RL land use category (not including the addition of 280 RL acres that are part of the large-scale land use amendment (Ordinance No. 150111, Petition PB-15-44 LUC) for 2100 NE 39th Avenue that is pending final approval). The addition of 15 acres will result in a new total of 2,142 acres, which is an increase of less than one percent in the RL land use category. The total area of the City of Gainesville is 40,729 acres or 63.64 square miles.

The additional acreage proposed for this future land use category will facilitate infill development and redevelopment at an appropriate location in east Gainesville.

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. The proposed land use amendment will allow for future low-density development within an urbanized area of the city. The regulated natural resources (wetlands and one listed species (gopher tortoise)) on the property will be subject to the provisions of Division 4. – Regulated Natural and Archaeological Resources and to other applicable regulations of the Land Development Code.

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

Yes. This previously developed and subsequently cleared, 15-acre property is in an urbanized area that is served by public utilities and other public services.

The property is served by S.E. 8th Avenue (a 2-lane local, City street with bike lanes on both sides and a sidewalk on the south side) located in Transportation Mobility Program Area (TMPA) Zone A.

- (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 proposed land use amendment will support a range of housing choices (attached and detached single-family) and will support the nearby multimodal transportation system, including pedestrian, bicycle, and transit.

The property is served by two RTS routes along S.E 19th Terrace to the east (and S.E. 8th Avenue to its east). An adjacent sidewalk to the north along S.E. 8th Avenue provides pedestrian access to the nearby public schools (Lincoln Middle and Williams Elementary) that are across S.E 15th Street, which is approximately 400 feet west of the property.

- (IV) Promotes conservation of water and energy.

Yes. This previously developed and subsequently cleared 15-acre property is served by public utilities and other public services, and is at an urban infill location that is primed for redevelopment. By redeveloping such a property, the water and energy demands of new residential development can be met without the costly extension of new water and energy infrastructure into outlying locations that are often associated with lower density development and potentially higher per capita consumption of water and energy.

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

Yes. The proposed land use amendment will help meet the City's need for job creation, capital investment, and economic development to strengthen and diversify the City's economy. The proposed Residential Low-Density land use is consistent with the approved (December 2014) CRA master plan for redeveloping this former Kennedy Homes apartments site into a low-density neighborhood comprised of 38 single-family(detached and townhomes).

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 does not contain a subdivision.

Respectfully submitted,



Ralph Hilliard
Planning Manager



Prepared by: Dean Mimms, AICP
Lead Planner

Table 1

Adjacent Existing Uses

North	S.E. 8 th Avenue, then vacant land
South	Vacant, wooded; Rotary Boys and Girls Club of Alachua County
East	Single-family residential
West	Vacant

Adjacent Zoning and Land Use and Zoning

	Land Use Category	Zoning Category
North	S.E. 8 th Avenue, then RL – Residential Low-Density (up to 12 units per acre)	S.E. 8 th Avenue, then RMF-5 (12 units/acre single-family/multiple-family residential district)
South	RM - Residential Medium-Density (8-30 units per acre); Recreation	RMF-7 (8-21 units/acre multiple-family residential district); PS (Public service and operations)
East	SF- Single-Family (up to 8 units per acre)	RSF-3 (Single-family residential, 5.8 units per acre)
West	MUL - Mixed-Use Low-Intensity (8-30 units per acre)	MU-1 (8-30 units/acre mixed use low intensity district)

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 Map: FEMA Special Flood Hazard Area (SFHA)

Exhibit B-5 Letter from Alachua County Public Schools

Appendix C Application

Exhibit C-1 Application