

0309036

City Plan Board
Petition 9LUC-04 PB
March 18, 2004

- 3. The historical evidence of erosion, sedimentation and storm events
- 4. The rebuttable presumption that between 35 and 150 feet from the break in slope at the top of bank that development is detrimental to the regulated creek, and is therefore prohibited; and
- 5. The current application provides no detailed evidence that would alleviate staff's concerns about development along the north reaches of the creek, south of Northwest 8th Avenue.

Condition 6.

All areas north of Rattlesnake Creek, which are determined as environmentally sensitive or undevelopable, shall be designated as conservation/open space area, not to be developed, in the PD (Planned development) ordinance.

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 Northwest 13th Street, Northwest 7th Avenue and Northwest 12th Street.

Condition 7.

Only one vehicular access point is allowed on each of Northwest 13th Streets and Northwest 7th Avenue. No vehicular access, except as needed for emergency and service purposes shall be allowed off Northwest 12th Street.

Condition 8.

The Planned Development Layout Plan or the Development Report must address the placement, distribution and configuration of units intended to implement the allowable density.

Setbacks and Buffers.

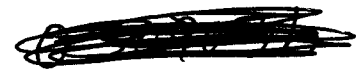
The creek is designated as a regulated creek and as such has had setbacks and buffers established in relationship to previous developments. There is a tributary of the Rattlesnake Branch, which seems to extend approximately 175 feet south into the portion of the property designated for development. The Planned Development must address and evaluate the impacts of development on the tributary and the remainder of the creek system.

Condition 9.

The Planned Development Layout Plan or the Development Report must address flood plain areas, street buffers, creek buffers and the impact of development on the above mention tributary of the Rattlesnake Branch.

Trip Generation

The trip generation issues and concerns must be addressed in the Planned Development petition.



Condition 10.

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

Summary Data

Applicant Information

Causseaux and Ellington, Inc. agent for Park Central Holdings.

Request

Change the land use on the subject property from Office, Residential Medium Density and Mixed Use Low Intensity to Planned Use District on property located in the 1200 to 1300 Block of Northwest 13th Street, between Northwest 7th and Northwest 8th Avenues.

Existing Land Use Plan Classification

O (Office); Residential Medium Density and Mixed Use Low Intensity.

Existing Zoning

OF (Office), RMF-8 (Residential Multi-family Medium Density, 8 to 30 dwelling units per acre).

Purpose of Request

To allow construction of a multi-family development.

Location

1200 to 1300 Block of Northwest 13th Street, east side.

Existing Use

Vacant

Surrounding Uses

North-
East-
South-
West-

Financial/professional offices
Educational Institution
Commercial and Single-family residential
Commercial.

Surrounding Controls

North
East
South
West

Zoning

OR
ED/PF/RSF-4
BA/BUS/RMF-5
PS/MU-1

Land Use

Office
E/PF/RL
C/RL
PF/MU-L

Recent Land Use History

No recent land use petitions have been processed on the subject property. In 2003, a proposed development was issued a final Development Order for construction of a Mixed-use Development.

Impact on Affordable Housing

There should be no significant impact on affordable Housing.

Comprehensive Plan Goals, Objectives and Policies of the Future Land Use Element met by this proposal if approved with staff's conditions:

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.

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

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 The City should encourage retail and office development to be placed close to the street side sidewalk

Goal 3 Achieve the highest long-term quality of life for all Gainesville residents consistent with sound social, economic and environmental principles through land development practices that minimize detrimental impacts to the land, natural resources and urban infrastructure.

Objective 3.1 The City shall protect environmentally sensitive land, conserve natural resources and maintain open spaces identified in the Future Land Use Map Series, through the Development Review Process and land acquisition programs.

Policy 3.1.1 At a minimum the following standards and guidelines shall be used to protect environmentally sensitive resources identified in the environmentally Significant Land and Resources map series within the Future Land Use Map Series. The City shall develop and adopt land

development regulations that establish criteria for expansion of the minimum standards addressed below.

- a. Creeks: Between 35 and 150 feet from the break in slope at the top of the bank, there is a rebuttable presumption that development is detrimental to the regulated creek. Development must conform to applicable provisions of the land development regulations, which prohibit development within a minimum of 35 feet of the break in slope at the top of the bank of any regulated creek.

Objective 3.6 Land use designations shall be coordinated with soil conditions and topography.

Policy 3.6.1 The city's land development regulations shall continue to require submission of soils and topographic information with any application for development that requires site plan approval or a septic tank permit. The review of development applications shall ensure that the proposed development adequately addresses the particular site conditions.

Policy 3.6.3 To the extent feasible, all development shall minimize alteration of the existing natural topography.

Planned Use District

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.

Respectfully submitted,



Ralph Hilliard
Planning Manager

RH:LDC



MAR - 2 2004

**APPLICATION—CITY PLAN BOARD
DEPARTMENT OF COMMUNITY DEVELOPMENT**

OFFICE USE ONLY		
Petition No. _____	Date _____	Fee: \$ _____
Map No(s). _____	Receipt No. _____	
Staff Mtg. Date and Name: _____	EZ Area No. _____	EZ PD. _____

Owner(s) of Record (please print)
Name: Park Central Holdings
Address: 1231 SW 3 rd Avenue
Gainesville, Florida 32601
Phone: (352) 376-6223 Fax: (352) 376-6269
(Additional owners may be listed at end of applic.)

Applicant(s)/Agent(s), if different
Name: Causseaux & Ellington, Inc.
Address: 6011 NW 1 st Place
Gainesville, Florida 32607
Phone: (352) 331-1976 Fax: (352) 331-2476

Note: It is recommended that anyone intending to file a petition for amendments to the future land use map or zoning map atlas, meet with the Department of Community Development prior to filing the petition in order to discuss the proposed amendment and petition process. Failure to answer all questions will result in the application being returned to the applicant.

REQUEST

Check applicable request(s) below:

Future Land Use Map <input checked="" type="checkbox"/>	Zoning Map <input checked="" type="checkbox"/>	Master Flood Control Map <input type="checkbox"/>
Present designation: O, RM, & MUL	Present designation: OF, MU-1, RMF-8	Other <input type="checkbox"/> Specify:
Requested designation: PUD	Requested designation: PD	

INFORMATION ON PROPERTY

1. Street address: Unit Block NW 7th Avenue and NW 7th Street NW Quadrant
2. Map no(s): 3950
3. Tax parcel no(s): 14097-001-000, 14095-000-000, 14097-002-000, 14096-000-000
4. Size of property: 7.57 acre(s)
All requests for a land use or zoning change for property of less than 3 acres are encouraged to submit a market analysis or assessment, at a minimum, justifying the need for the use and the population to be served. All proposals for property of 3 acres or more must be accompanied by a market analysis report.
5. Legal description (attach as separate document, using the following guidelines):
 - a. Submit on 8 ½ x 11 in. sheet of paper, separate from any other information.
 - b. May not be included as part of a Purchase Agreement, Contract for Sale, Lease Agreement, Transfer of Title, Warranty Deed, Notice of Ad Valorem Taxes, Print-outs from Property Appraiser's Office, etc.
 - c. Must correctly describe the property being submitted for the petition.
 - d. Must fully describe directions, distances and angles. Examples are: North 20 deg. West 340 feet (not abbreviated as N 20 deg. W 340'); Right-of-Way (not abbreviated as R/W); Plat Book (not abbreviated as PB); Official Records Book 1, page 32 (not abbreviated as OR 1/32); Section 1, Township 9 South, Range 20 East (not abbreviated as S1-T9S-R20E).

6. INFORMATION CONCERNING ALL REQUESTS FOR LAND USE AND/OR ZONING CHANGES (NOTE: All development associated with rezonings and/or land use changes must meet adopted level of service standards and is subject to applicable concurrency requirements.)

A. What are the existing surrounding land-uses?

North OR and OF
South BA, BUS, RMF-8, RMF-5, RSF-4, RC and MU-1
East ED
West PS, RSF-1, MU-1

B. Are there other properties or vacant buildings within 1/2 mile of the site that have the proper land use and/or zoning for your intended use of this site?

NO X YES ____ If yes, please explain why the other properties cannot accommodate the proposed use?

C. If the request involves nonresidential development adjacent to existing or future residential, what are the impacts of the proposed use of the property on the following:

Residential streets N/A

Noise and lighting N/A

D. Will the proposed use of the property be impacted by any creeks, lakes, wetlands, native vegetation, greenways, floodplains, or other environmental factors or by property adjacent to the subject property?

NO ____ YES X (If yes, please explain below)

A portion of Rattlesnake Creek traverses the northern portion of the property. Please see the attached and approved May 29, 2003 St. John's Water Management District permit.

E. Does this request involve either or both of the following?

a. Property in a historic district or property containing historic structures? N/A

b. Property with archaeological resources deemed significant by the State? N/A

F. Which of the following best describes the type of development pattern your development will promote? (please explain the impact of the proposed change on the community):

Redevelopment X
Activity Center ____
Strip Commercial ____

Urban Infill X
Urban Fringe ____
Traditional Neighborhood X