

TO: City Plan Board

Item Number: 4

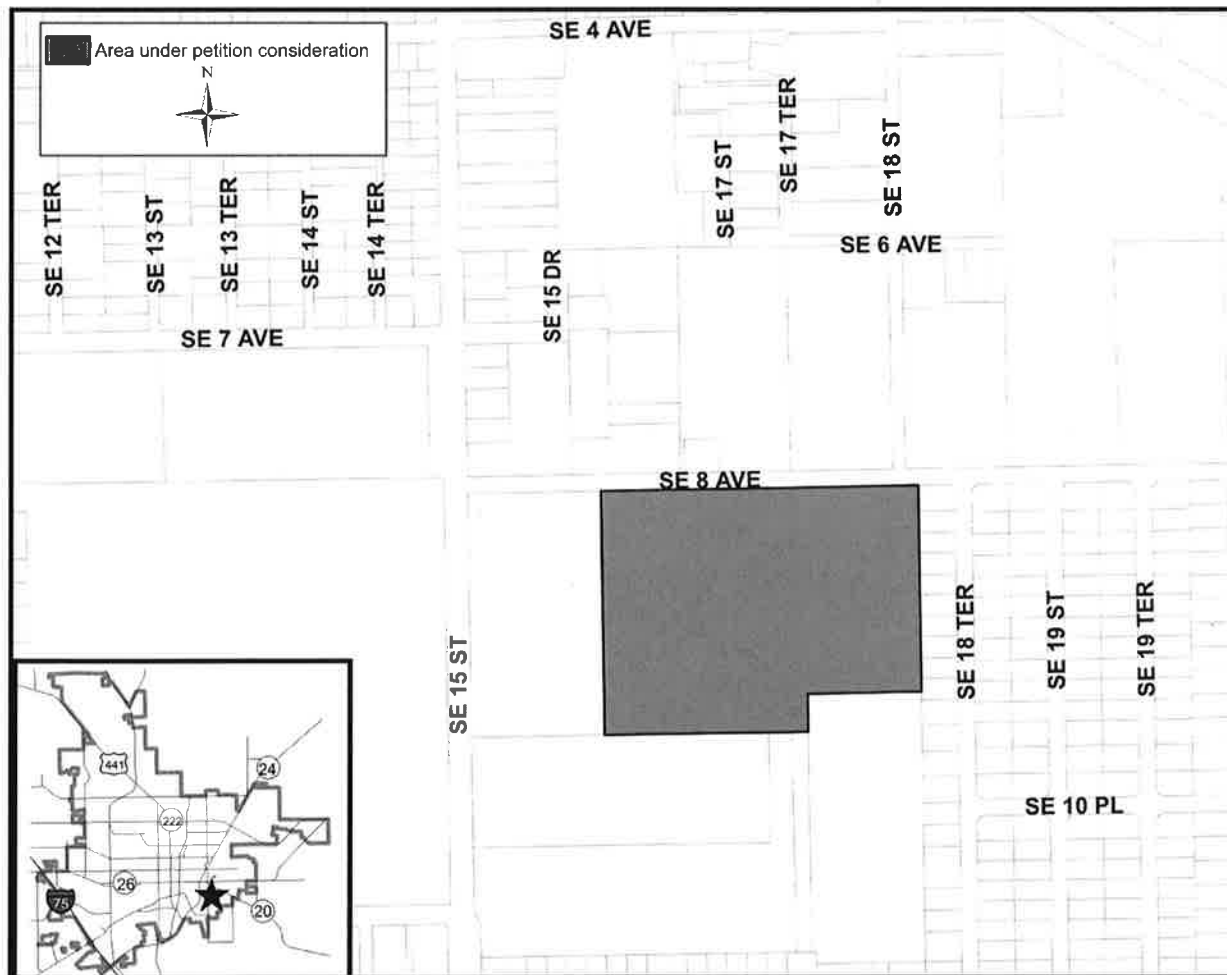
FROM: Planning & Development Services Department
 Staff

**DATE: October 22,
 2015**

SUBJECT: Petition PB-15-90 ZON. eda engineers-surveyors-planners, inc., agent for City of Gainesville. Rezone property from RMF-7: 8-21units/acre multiple-family residential district to RMF-5: 12 units/acre single-family/multiple-family residential district. Located in the 1600 Block of SE 8th Avenue. Related to Petition PB-15-89 LUC.

Recommendation

Staff recommends approval of Petition PB-15-90 ZON.



Description

This is a request to rezone property from RMF-7: 8-21 units/acre multiple-family residential district to RMF-5: 12 units/acre single-family/multiple-family residential district to allow a mixed (attached- and detached-unit) single-family housing development. This petition 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 within the Eastside Redevelopment District and 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 proposed zoning change (and the related, requested land use change to Residential Low-Density (up to 12 units/acre) 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 RMF-7 (8-21 units/acre multiple-family residential district) zoning and of the existing Residential Medium-Density (8-30 units per acre) land use.

This property abuts MU-1 (8-30 units/acre mixed use low intensity district) zoning to the west, RMF-7 (8-21 units/acre multiple-family residential district) and PS (Public service and operations) zoning to the south, RSF-3 (Single-family residential, 5.8 units per acre) zoning to the east, and RMF-5 (12 units/acre single-family/multiple-family residential district) across S.E. 8th Avenue to the north. The adjacent property to the west is vacant, as are the RMF-7 zoned land to the south and the RMF-5 (12 units/acre single-family/multiple-family residential district) zoned 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 9 for a tabular summary of adjacent existing uses and adjacent zoning 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 zoning districts.

The RMF-5 zoning district (see Exhibit B-4 - RMF-5 zoning district regulations) allows detached and attached single-family dwellings. Unlike the existing RMF-7 zoning on the property, it does not have a minimum density requirement.

This petition is related to Petition PB-15-89 LUC, which proposes a large-scale land use change from Residential Medium-Density (8-30 units/acre) to Residential Low-Density (up to 12 units/acre).

Key Issues

- The proposed rezoning to RMF-5 is consistent with the City's Comprehensive Plan and supports residential development in an appropriate location.
- The proposed RMF-5 zoning 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.

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

This zoning 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 rezoning to the RMF-5: 12 units/acre single-family/multiple-family residential district 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. Conformance with the Land Development Code

The proposed rezoning to the RMF-5 district will implement the Residential Low-Density (up to 12 units per acre) land use category proposed by related Petition PB-15-89 LUC. Any proposed development will be required to meet all applicable Land Development Code (LDC) requirements. Applicable LDC requirements include but are not limited to those pertaining to regulated surface waters and wetlands, regulated natural and archaeological resources, and applicable provisions of the Southeast Gainesville Renaissance Initiative (Chapter 30, Appendix A, Special Area Plans, Section 8).

3. Changed Conditions

A master plan for redevelopment of the former Kennedy Homes site was approved by the Community Redevelopment Agency (CRA) in December of 2014.

4. Compatibility

The proposed RMF-5 zoning is compatible with the adjacent properties and with the surrounding area, which includes an established single-family neighborhood, a Boys and Girls Club, plus nearby public schools and a place of religious assembly. This property abuts properties with MU-1 (mixed-use low-intensity (8-30 units per acre)) to the west, RSF-3 (single-family residential, 5.8 units per acre) to the east, RMF-7 (8-21 units per acre multiple-family residential district) and PS (Public service and operations) district to the south, and RMF-5 zoning across S.E. 8th Avenue to the north.

5. Impacts on Affordable Housing

The proposed rezoning will have no impact on the supply of potential affordable housing in the City. Although the proposed RMF-5 (up to 12 units per acre) zoning provides for a decrease in density relative to the existing RMF-7 (8-21 units per acre) zoning for this property that was cleared and has been vacant since 2007, the proposed RMF-5 zoning and the related, proposed RL land use are needed for implementation of the master plan that was approved by the CRA (Community Redevelopment Agency) in December of 2014.

Transportation

There are no major transportation issues associated with the proposed rezoning of 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 rezoning from RMF-7: 8-21 units/acre multiple-family residential district to RMF-5: 12 units/acre single-family/multiple-family residential district will result in a reduction of 9 units per acre in the maximum allowable density, which will therefore result in an overall reduction in trip generation by the proposed RMF-5 zoning designation.

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 RMF-5 zoning and the RL land use proposed by related Petition PB-15-89 LUC. The

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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).

Environmental Impacts and Constraints

This petition is limited to changing the zoning designation 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.

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.”

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Respectfully submitted,



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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)

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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 Zoning
Exhibit B-3 Map: Proposed Zoning
Exhibit B-4 RMF-5 zoning district regulations

Appendix C Application Package

Exhibit C-1 Rezoning Application
(See Land Use Change & Rezoning Justification Report in Petition PB-15-89 LUC, Exhibit C-1 – Application.)