

090763A

City of
Gainesville

Inter-Office Communication

Planning Division
x5023, FAX x3259, Station 12

Item No. 3

TO: City Plan Board

DATE: February 1, 2010

FROM: Planning Division Staff

SUBJECT: Petition PB-09-161 PDV. Causseaux, Hewett, and Walpole, Inc., agent for ADC Development and Investment Group, LLC. Rezone property from I-2 (General industrial district) to PD (Planned development district) to allow construction of a one-stop homeless assessment center with residences, health care, and food distribution facilities. Located at 820 Northwest 53rd Ave.

Recommendation

Planning staff recommends approval of Petition PB-09-161 PDV with conditions.

Explanation

This petition is a request by the applicant to rezone the property listed above from I-2 (General Industrial District) to Planned Development to operate a Residence for Destitute People, a Social Service Home, and a Food Distribution Center for the Needy, a Healthcare facility and a Campground. The property is located in the 800 Block of NW 53rd Street (north side), at the end of a private easement approximately 2,000 feet from NW 53rd Avenue. The property is currently part of a larger parcel which will be provided with adequate access through the subdivision review process. Map 1, shows the location of the property in relationship to the existing public road network and existing private roads and easements. The applicant is proposing a subdivision of the parent parcel to create three lots, one of which will be dedicated as the subject property for this Planned Development.

The parent parcel shown on Map 1 is proposed to be divided into three separate parcels. Parcel 2 is the subject parcel of the PD. Since the parent parcel does not have access on a public right-of-way, it has to be divided through the full subdivision process before the City Commission. During the platting process, adequate rights-of-way will be dedicated to the city in order to provide proper access for the PD parcel and the other two parcels. Final approval of the PD is therefore subject to approval of the proposed subdivision by the City Commission. During the subdivision review process, a 100 foot right-of-way will be created from NW 53rd Avenue, along an existing private easement to the subject parcel. Another 60 foot right-of-way will branch out in a northeasterly direction to provide the main access to the subject parcel and other parcels to the east.

Parcel 2 of the subdivision, dedicated to the PD is approximately 9.78 acres. It is an isolated tract of undeveloped property, well removed from any existing development. It is not accessible via any official road network but can be reached from the south and west via unpaved historical roadway easements. The project site has a relatively even topography with large areas of wetlands. It is mostly undisturbed and completely occupied with pine and other natural growth vegetation

The property is surrounded by undeveloped parcels, except for the south and southwest which are occupied with a salvage yard, mixed industrial uses and a cement plant. The property has a land use designation of Industrial and is surrounded on the north by Agriculture and on the east, west and south by Industrial land use. The zoning on the property is I-2 (General industrial district) and is surrounded by I-2 zoning on the east, south and west and by Agr. on the north. A cement plant exists on the property immediately south of the subject property.

The purpose and intent of the Grace Marketplace PD is expressed in the PD Report as a collaborative response by the City of Gainesville and Alachua County to address the needs of the homeless in the community. The report states that the primary uses intended for the project are residence for destitute people, social service home, food distribution center for the needy and camping facilities. The report also indicates that additional accessory uses will be health care facilities, a thrift shop, workforce development, laundry facilities, farming and conservation amenities. The services provided at the facility fall into three essential categories: (1) A shelter and associated services for those needing basic daily services (meals, showers, laundry, food pantry, clothes closet, mail, Internet, etc.); (2) Service for those in need of on-going case management and continuous care; and (3) Service for those requiring referrals to services for more intensive/extensive long-term assistance and/or treatment, medical and mental health care, substance abuse treatment, linkages to financial resources, employment assistance and veteran services.

The above described facility is intended to include the following intensity of uses:

TABLE OF PROPOSED INTENSITY OF USES AS PROVIDED BY THE APPLICANT

USES	Maximum Sq. Ft.	
Residence for destitute people, Social service home and Food distribution center for the needy	34,000	3 Stories
Medical offices, Administrative Offices	5,500	
Retail and Thrift Store	500	
Storage	500	
Total Square feet proposed	40,500	
Number of Beds	200	Units
Number of Tent Pads	100	Units
Number of meals served to non-residents (as requested by the applicant)	500	Units

PD Zoning

The applicant is proposing a PD zoning to allow a One-Stop Homeless Assistance Center with an associated Planned Development (PD) Report, and a PD Layout Plan. The PD Report proposes a list of uses consistent with the intended One-Stop Center and uses currently allowed in the Office zoning district. Although the current I-2 zoning allows for some of the uses proposed for the assistance center, it does not allow for all proposed uses. I-2 zoning allows Individual and Family Social Services (IN-8322) by special use permit, but does not allow Food Distribution Centers for the Needy (Sec. 30-111), Job Training and Vocational Rehabilitation Services (IN-8331) health care facilities or Residences for Destitute People, which are key components of the proposed center.

The intent of the PD is to allow the center with associated uses to operate in a manner consistent with the internal uses that require unique spatial relationships. The project also has a need to address special design considerations related to size, scale, scope and complexity of the overall development. Those development considerations are only afforded through the PD rezoning and are not available through the other zoning districts.

Rezoning to Planned Development requires justification that the proposal is unique and cannot be accommodated under other zoning districts. It requires that the proposal includes a mix of residential and nonresidential uses and/or unique design features which might otherwise not be allowed in the district. The PD provisions are intended to promote flexibility of design and integration of uses and structures, while at the same time retaining the ability for the regulating authority to establish limitations and regulations that will benefit the community and provide for public health, welfare and safety. The PD Report addresses the required justification of the request on Pages 4 to 6.

Staff's evaluation of this rezoning application is based upon the criteria listed in Section 30-216 of the City Land Development Code. Each item in this section is listed below and includes staff's findings and conditions:

The industrial land use limits the amount of service uses to no more than 25% of industrial areas. The industrial areas involved contain approximately 363 parcels of which 90 parcels can be used for service type uses. In this case, a new parcel is being created for the use and therefore will not have a negative impact on the industrial land use.

Conformance with comprehensive plan

The land use designation of the subject property is Industrial, as well as surrounding properties to the east, west and south. The requested zoning designation of the subject property to Planned Development is consistent with the Table of Correspondence of Zoning Districts with Future Land Use Categories and is therefore consistent with the future Land Use Element of the Comprehensive Plan. The proposed development is consistent with the comprehensive plan in that it advances several goals, objectives and policies of the Comprehensive Plan:

Housing Element::

Objective 2.2 of the Housing Element: Provide sufficient opportunity for the siting of group homes, foster care facilities, shelters for the homeless and elderly housing.

Policy 2.2.5 of the Housing Element: The City shall continue to examine methods to mitigate the special needs of the homeless including living arrangements for homeless families with children, transitional housing for the employed homeless including single-room occupancy (SRO) facilities, and low demand or "safe space" shelters (safe, alternative locations for the homeless that are separate from emergency shelter facilities and that provide weather protection, security, bathroom and shower facilities, lockers, telephones and locations that are within walking distance of social service facilities).

Conservation and Open Space

Goal 2. Mitigate the effects of growth and development on environmental resources.

Policy 2.4.10 The City shall protect floodplains through existing land development regulations that at a minimum:

- a. Prohibit development within the flood channel or floodplain without a City permit;

Condition 1

Approval of the PD is subject to final approval of the subdivision and construction of all rights-of-way required to establish the parcel as a legal lot. The ordinance adopting the PD shall not be executed until the associated subdivision creating the PD parcel is approved and construction on all required rights-of-way has commenced or completed. The minimum width of the right-of-way from the subject property to NW 53rd Avenue shall be 100 feet wide. The minimum width of the right-of-way along the south boundary of the subject property shall be 60 feet. The required minimum paved surface shall be in accordance with the Public Works Design Manual and subject to approval by the reviewing body during development plan review

Concurrency

The subject property is located in Zone B of the Transportation Concurrency Exception Area (TCEA). During development plan review the applicant must demonstrate that water and wastewater facilities are available at adopted levels of service.

Condition 2

At the development plan stage, the development shall submit an application for a Certificate of Final Concurrency.

Condition 3

Prior to the second reading of the Planned Development ordinance, the development shall sign a TCEA Zone B Agreement or TCEA Memorandum of Agreement for the provision of the required Concurrency Management Element Ordinance Policy 1.1.6 standards. At a minimum, the Agreement shall provide for meeting the Phase I standards.

Condition 4

At the development plan stage, the development shall provide a traffic study for all phases of the development that is acceptable to the Public Works and Planning Departments.

Condition 5

At the development plan stage, the development shall demonstrate multi-modal access to the site via transit, pedestrian, and bicycle modes.

Internal compatibility

The attached Maps A and B show that the project site includes wetlands, uplands and flood zones. According to the PD Layout Plan, Map B, development is planned to occur within two areas designated as Area A and Area B. Both development areas shall be outside the wetland areas and include the required 50 foot wetland buffers. Interior access is provided to facilitate vehicular circulation with adequate and efficient access to the major road network. Interior pedestrian circulation shall also be included.

The PD proposes a mix of service uses including residential, medical and office. Since those uses are provided as support services to the primary uses of residences for destitute people and food distribution center for the needy, they are allowed within any of the development areas A and B and will be regulated for spatial compatibility during development plan review.

Per the PD Report, "The compact development form promoted on the site's southern half will serve to protect those portions of the property that contain environmental features such as wetland buffers and FEMA Floodplain. These natural features will be protected with a no-impact or low impact development concept. Further, appropriate construction management practices will be employed to ensure that the set-aside portions of the site are not negatively impacted during on-site construction activities. Other on-site improved and landscaped open spaces may be provided to allow for both active and passive recreational opportunities."

Condition 6

Allowable uses within the PD shall be those listed in the table in section VI, page 8 of the PD Report. Agricultural uses and the Sale of agricultural products and commodities which are raised exclusively on the premises, including retail roadside sales of such products and commodities are allowed in accordance with Section 30-72

Condition 7

Except as provided within the PD, all development shall be in conformance with and regulated by the Land Development Code.

Condition 8

All development shall maintain a 10 foot setback from the limits of the wetland buffers. During development plan review, measures shall be implemented to prevent erosion, sedimentation and encroachment into the wetland buffer areas.

Condition 9

An internal sidewalk system shall be provided to facilitate internal pedestrian circulation. The sidewalks system shall provide convenient access to all internal active areas and shall be integrated with the external roadway sidewalk system.

Condition 10

The maximum allowable square footage for the entire project shall be 50,000. Except as provided in the PD, the square footage of all covered structures shall count towards the allowable square footage within the project.

Condition 11

Driving aisles shall be reduced to the minimum that would facilitate safe and efficient movement of vehicles. This decision will be determined during development plan review by the development review board.

Condition 12

Lighting for night operation and safety shall be provided within the vehicular use area. All lighting shall be consistent with the standards provided in the Land Development Code. The area designated for temporary parking shall be lit to address safety requirements. Safety lighting shall be provided for all areas of the development.

Condition 13

Excepted as provided within the PD, the development shall be regulated in accordance with the OF Zoning District.

External compatibility

The properties surrounding the subject development are currently undeveloped except for a cement plant to the south. Since those surrounding properties are zoned I-2 and Agriculture, potential uses are those allowed within those districts. Because of the controlled layout of the site and its campus like nature and operation, the proposed facility is designed to coexist harmoniously with existing surrounding development and potential future industrial uses. The proposed development is therefore not expected to exert any negative impacts on surrounding development. It is also designed to minimize any potential negative impacts from existing and potential surrounding developments.

Condition 14

In accordance with the Land Use requirements of the Comprehensive Plan, buildings shall be required to face the street.

Condition 15

During development plan review, the facility shall prepare and include a management and operations plan in accordance with Section 30-111 of the Land Development Code.

Condition 16

The tent portion of the facility shall be adequately buffered and screened from the adjacent right of way. Screening shall be a minimum height of six 6 feet and may include but is not limited to a combination of fencing, landscaping or berms. The type of screening shall be approved by the reviewing board during development plan review. Where necessary, additional landscaping may be required to adequately screen the area from the public right-of-way.

Condition 17

Per the applicant's request, the maximum number of meals served by the facility shall be 500 per day for the main services, housing, social services and food distribution center for the needy. This number shall not include meals served to residents of the facility. During development plan review, or upon request, the Development Review Board may authorize an unlimited number of meals per day to be served during 10 specified two-day periods of holidays or special occasions.

Condition 18

Tents shall only be allowed in Development Area B. A maximum of 100 tents shall be allowed.

Intensity of development & useable open spaces, plazas and recreation areas.

The static information in the PD Report indicates that the project site is 9.78 acres of which 40% percent is intended for development. This intensity of development is consistent with most business zoning district and much less than the allowable intensity of Industrial zoning district (There are no maximum lot coverage limits in the I-2 district). When all impervious areas are considered, the project anticipates maximum lot coverage of 75%, leaving a project development with 25% open space which is more than the 20 % open space required to satisfy only one of the landscaping requirement. While the proposed development appears to be compatible with the intensity of development generally associated with the industrial development, the 75% intensity appears high given the existence of wetlands and FEMA flood plain areas. Given this situation, staff is concern that a 75% impervious ground cover may be in conflict with the ability to satisfy landscaping and open space requirements. Staff would therefore recommend that the intensity of development and impervious ground cover be subject to the ability of the development to meet environmental standards, landscaping and open space requirements.

Given the nature of the development, functional open space is an integral part of a successful operation and should be included within the active areas of the development. Additionally, considering the distance of the facility from public recreational areas, such amenities are important to the successful operation and function of the center.

Condition 19

The project shall be required to meet all landscaping requirements according to the Land Development Code. Additionally, the width of street buffer along the south part of the property shall be a minimum of 15 feet and shall include double the street buffer landscape requirement for type E buffers. During development review, the reviewing body may vary this requirement based on a demonstration that the interior design and need for buffering from adjacent industrial uses will be non-existent or minimized. All wetland areas shall comply with the minimum 50 foot buffer requirement. All FEMA flood plain areas shall be developed in accordance with standards established by Public Works and shall be required during development plan review.

Condition 20

Development Area "A" shall have a minimum of 10,000 square feet of usable open space or a ratio of 50 square feet per bed, whichever is greater. Such usable open space may be included in the required 20% open space, provided it is within close proximity to the active areas, is accessible to residents and qualifies as usable open space.

Environmental constraints

The PD Layout Plan illustrates the existing wetlands on the site and required buffer areas. Both Development Areas A and B are shown outside of those buffers, demonstrating compliance with the environmental requirements of the Land Development Code. The southwest area of the property is shown as the point at which the proposed right-of-way from NW 53rd Avenue will enter the project site. That intersection is also the point from which access will be provided to other surrounding parcels to the east, west and north. That area is currently occupied by wetlands which is an integral part of the wetland system surrounding the property. It is anticipated that the project will have to address the avoidance, minimization and mitigation procedure for dealing with wetland impacts. Currently the project is not at the level of detail to submit a mitigation plan but has indicated the need to implementation wetland mitigation after addressing the avoidance and minimization criteria. The property is surrounded by wetland areas allowing no alternative access except across wetland areas. The only area proposed for wetland impact is at the road access to the property, thus minimizing the impact to the wetland areas. Mitigation is therefore requested for that area of wetland impact to provide needed access to the site and surrounding parcels.

Condition 21

The proposal to implement wetland impacts shall only be applicable to the southwest area of the site in order to provide access to the subject parcel and surrounding parcels. If the City Commission authorizes the general request to allow mitigation, approval of the details of avoidance, minimization and mitigation shall be determined by the reviewing body during development plan review.

Condition 22

Development Area B intended as a camping area shall accommodate only temporary structures subject to approval by Public Works and the Building Division. Temporary structures shall be structures not requiring establishment of a permanent slab or other permanent support structures or foundations.

Condition 23

Wetland impacts or considerations of wetland issues outside the boundaries of the subject property shall be addressed separately through the processes established in the Land Development Code.

External and Internal transportation access

The subject property is not currently a legal lot and does not have direct access to a public right-of-way. It is only accessible via an unpaved roadway easement to the southwest and northeast boundaries. The proposed access to the property is via an extension of an existing private access which intersects with NW 53rd Avenue as shown on Map 1. Adequate and required access to the property is designed to be implemented through the subdivision process. The private access with direct connection to NW 53rd Avenue will be converted to public right-of-way providing the required direct access from the subject property to the public right-of-way. During the subdivision review process, the east/west right-of-way proposed on the south side of the subject property will be designed and implemented as public right-of-way. Improvement of the acquired right-of-way must be implemented in concert with detail plans for improvement of the property in accordance with the PD.

Internal access to the site is shown on the PD Layout Plan and shall include vehicle, bicycle and pedestrian circulation during development plan review.

The proposed facility is completely centered around the provision of services to the less fortunate. Inferred from the PD Report, the services provided at the facility fall into three essential categories: (1) A shelter and associated services for those needing basic daily services (meals, showers, laundry, food pantry, clothes closet, mail, Internet, etc.); (2) Service for those in need of on-going case management and continuous care; and (3) Service for those requiring referrals to services for more intensive/extensive long-term assistance and/or medical and mental health care treatment, substance abuse treatment, linkages to mainstream and financial resources, employment assistance and veteran services. Those services are therefore planned for the homeless, the needy, the less fortunate, people without automobiles and those with limited resources to access general public modes of transportation.

When one considers the location of the facility and the people for whom the services are intended, one would conclude that either there is a plan designed to bring the recipients to the location or that the recipients have the resources and the means to get to the location where the services are provided. In addressing this issues, the PD Report states "... residents will likely access the facility via transit, bicycle and/or pedestrian walkway." The report also states that "... The City is currently exploring providing dedicated transit service via a shuttle service between downtown and the Grace Marketplace."

The above issue is a valid concern. However, the fact remains that the selection of other less remote sites has been strongly opposed and defeated by surrounding neighborhoods. On the other hand, although the subject site is removed from the hub of urban activities, there are no neighborhood groups in the area opposed to the proposed project. Another factor that tends to overshadow the remote location of the facility is the city's goal of addressing the growing problem of the homeless and the needy within the community.

Condition 24

During development plan review, the project shall be required to present a plan illustrating internal access to the site and internal circulation addressing vehicle, bicycle and pedestrian circulation. Detail specification of the plan shall be subject to the land development code and approval by the reviewing body.

Condition 25

The rights-of-way serving the subject property shall be equipped with bicycle and pedestrian circulation facilities up to NW 53rd Avenue. The minimum width of the sidewalk shall be 6 feet.

Condition 26

The facility should implement a transportation program to facilitate easy access for clients needing the services provided by the Grace Marketplace. The facility shall make arrangements to accommodate a bus stop at the entrance to the property on NW 53rd Avenue. The bus stop shall be designed to provide adequate shelter from the elements. Considering the function and configuration of NW 53rd Avenue, the preferred option for the bus stop shall be a full bus space off the travel lane.

Off-street parking

Parking for the development is planned to be accommodated on site with all associated landscape and accessory facilities. The parking facilities shall be designed in accordance with requirements of the land

development code. Due to the nature of the facility, it is not anticipated that parking will be required in accordance with typical standards. Since all occupants of the center are not expected to arrive via private automobile, the parking standard is best determined on the number of employees and some associated with the number of beds. Such standards will most closely reflect the number of automobiles visiting the site and the number of required parking spaces. Parking for other support facilities will be regulated in accordance with the conventional standards of the Land Development Code.

Condition 27

The number of required parking spaces for the shelter, the food distribution center and the social service portions of the facility shall be based on one parking space for every two employees plus one per six beds. Parking for the medical and office uses shall be 1 per two employees. All other uses shall provide parking based on the propose use and the standards required in the Land Development Code. Bicycle and motorcycle parking shall be in accordance with the Land Development Code. During development plan review, the reviewing body may require additional bicycle and motor cycle parking based on compatibility with the uses and operational demands of the facility.

Condition 28

Required parking for the facility shall be paved hard surface in accordance with the Land Development Code. During development plan review, the facility may propose a maximum of 100 parking spaces as temporary overflow unpaved parking required for special occasions or unforeseen circumstances. Such unpaved parking shall not diminish the required open space or compromise the infrastructure commonly required for normal operations. The driveway aisles for all unpaved parking may be required to be paved. Overflow or temporary parking may be provided on stabilized pervious areas subject to meeting Public Works requirements. Such parking shall be required to provide impervious driveway aisle unless waived by staff or the reviewing board. If at anytime it is determined that overflow or temporary parking has degraded the surface, the project may be required to convert the temporary unpaved parking to hard surface parking. The landscaping requirements as it pertains to buffering, including street buffers, shall apply to such temporary parking areas. Protection of regulated trees shall be given strong consideration in the placement of such temporary parking spaces.

Public facilities

Public facilities are available within close proximity to the development site. The proposed amendment is not expected to affect the service levels of public facilities
As a pubic facility the property should adequately identified.

Unified control

Documents provided with the application indicate unified control of the property. The amendment satisfies this requirement.

090763A

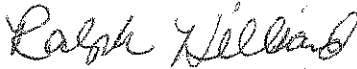
Petition PB-09-161 PDV
City Plan Board
February 1, 2010

Development time limits

Condition 29

The PD shall be valid for a period of five years. Prior to the expiration date, the City Commission may grant a one-time request for extension. Development plan approval for the homeless shelter and or the food distribution center shall be obtained within three years of approval of the PD ordinance.

Respectfully submitted



Ralph Hilliard,
Planning Manager,
Planning and Development Services.
+LDC:lhc