

TO: City Plan Board

Item Number: 2

FROM: Planning & Development Services Department
 Staff

DATE: May 28, 2015
Revised: June 2, 2015

SUBJECT: Petition PB-15-29 LUC. eda engineers-surveyors-planners, inc., agent for Prairie View Trust and City of Gainesville (GRU). Amend the City of Gainesville Future Land Use Map from Commercial (C) and Residential-Medium Density: 8-30 units per acre (RM) to Mixed-Use Low-Intensity: 8-30 units/acre (MUL). Located in the 3800 block of SW 37th Blvd., east and west sides (south of Archer Road). Tax Parcel 07240-046-000, 06812-012-000 and a portion of 06809-000-000. Related to PB-15-30 ZON.

Recommendation

Staff recommends approval of Petition PB-15-29 LUC.



Description

This petition for a small-scale amendment of the Future Land Use Map pertains to an undeveloped, 9.9-acre property (see map on previous page) located on both sides of SW 37th Boulevard, approximately 400 feet south of Archer Road (State Road 24). The property is surrounded by a mix of existing uses, including multi-family and single-family development, a child care facility, and vacant, undeveloped land. Further to the north is highway commercial development including restaurants and a bank.

The proposed small-scale land use change from Commercial and Residential-Medium Density: (8-30 units per acre) (RM) to Mixed-Use Low-Intensity (8-30 units per acre) will allow a mix of non-residential and residential uses. Approximately 8.25 acres of the 9.9 acre property are in the Commercial land use category and 1.65 acres are in the RM category. The existing Commercial land use designation limits the future development potential for most of the property to commercial and does not allow residential use or mixed-use. The proposed Mixed-Use Low-Intensity (8-30 units per acre) land use category (MUL) (see Future Land Use Policy 4.1.1 on page 4 of this report) allows a broad range of residential and non-residential uses, including offices and retail scaled to serve the surrounding neighborhood. The proposed MUL land use category will also increase the potential for future residential development of up to 30 units per acre because it will be applicable to 9.9 acres (rather than 1.65 acres under the existing RM category). This petition is related to Petition PB-15-30 ZON, which proposes a zoning change from the BUS: General business and RMF-8: 8-30 units/acre multiple-family residential districts to MU-1: 8-30 units/acre mixed use low intensity.

The 9.9-acre subject property along with approximately 6 acres of adjacent land to the north which is also owned by the applicant, contain regulated surface waters/wetlands and other natural resources. This undeveloped, mostly forested property includes a 0.579-acre natural watershed feature with a slope flow-way and mixed marsh/hardwood wetlands.

This property abuts properties with Commercial land use to the north, Mixed-Use Low-Intensity (8-30 units per acre) (MUL) land use to the west, and Residential-Medium Density: (8-30 units per acre) (RM) land use to the east and south. The respective zoning designations for the adjacent properties are General business district (BUS) to the north, MU-1: 8-30 units/acre mixed use low intensity to the west, and RMF-8: 8-30 units/acre multiple-family residential district to the east and south. Undeveloped land and several restaurants along Archer Road are to the north, apartments are to the east and south on both sides of S.W 37th Boulevard, a child care center (O2B Kids) is to the south (on the east side of S.W. 37th Boulevard), and single-family and two-family houses are to the west.

See Table 1 on Page 11 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 small-scale amendment to Mixed-Use Low-Intensity (8-30 units per acre) (MUL) is consistent with the City's Comprehensive Plan and supports mixed use development in an appropriate location.
- The proposed MUL land use is consistent with the property to the west.
- The property contains regulated surface waters/wetlands which provide habitat for listed wading birds and listed plant populations. These listed species have been identified within the Planning Parcel (defined in Land Development Code Section 30-23) that includes this property. Any future development on any area of the Planning Parcel, including the area of this petition, will be subject to the applicable regulations of Section 30-310.4, requiring avoidance and protection of the identified regulated natural resources.

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 ensuring that a percentage of land uses are mixed and within walking distance of important destinations. The proposed land use change to Mixed-Use Low-Intensity (8-30 units per acre) is consistent with Objective 1.5, and Policies 1.2.3 and 1.5.7, which are included below. See Exhibit A-1 (Comprehensive Plan GOPs) for other pertinent policies of the Comprehensive Plan. The proposed MUL land use category for this location is also consistent with the Comprehensive Plan concerning development within one-quarter mile of transit hubs. The property is approximately 535 feet to the south of Butler Plaza, a regional shopping center which is an Existing Transit Hub. See Exhibit B-4 for the map of Existing Transit Hubs & Transit-Supportive Areas.

The MUL land use category will increase the range of development opportunities for this property by allowing a mix of residential and non-residential uses. The requested Mixed-Use Low-Intensity (8-30 units per acre) land use category will be implemented by the MU-1 (8-30 units/acre mixed use low intensity) zoning district proposed by related Petition PB-15-30 ZON.

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 1.2.3 The City should encourage mixed-use development, where appropriate.

Objective 1.5 Discourage the proliferation of urban sprawl.

Policy 1.5.7 The Future Land Use Map should designate appropriate areas for multi-family residential development in close proximity to neighborhood centers and important transit routes. When appropriate and in a way not detrimental to single-family neighborhoods, the City should encourage the establishment of residential, retail, office, and civic uses within 1/4 mile of the center of neighborhood centers as an effective way to reduce car trips and promote transit, walking, and bicycling.

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

Mixed-Use Low-Intensity (8-30 units per acre)

This category allows a mixture of residential and non-residential uses such as standard lot single-family houses, small-lot single-family houses, duplex houses, townhouses (attached housing), accessory dwelling units, group homes, multi-family housing (if compatible in scale and character with other dwellings in the proposed neighborhood), offices scaled to serve the surrounding neighborhood, retail scaled to serve the surrounding neighborhood, public and private schools, places of religious assembly and other community civic uses, and traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance. Residential development shall be limited to 8 to 30 units per acres. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. Intensity will be controlled, in part, by adopting land development regulations that establish height limits of 5 stories or less; however, height may be increased to a maximum of 8 stories by special use permit. Land development regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 10 acres or larger. At a minimum, the land development regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential; or, that the surrounding area of equal or greater size than the development or redevelopment site, and within 1/4 mile of the site, have a residential density of at least 6 units per acre. Residential use shall not be a required development component for public and private schools, institutions of higher learning, places of religious assembly and other community civic uses. Buildings in this category shall face the street and have modest (or no) front setbacks.

This category shall not be used to extend strip commercial development along a street. Land development regulations shall ensure a compact, pedestrian-friendly environment for these areas, and provide guidelines or standards for the compatibility of permitted uses.

2. Compatibility and Surrounding Land Uses

The proposed MUL land use is compatible with the adjacent properties and the surrounding area. This property abuts properties with Mixed-Use Low-Intensity (8-30 units per acre) (MUL) land use to the west, Commercial land use to the north, and Residential-Medium Density: (8-30 units per acre) (RM) land use to the east and south. Compatibility with the medium-density residential properties (RM land use category to the east and south) will be assured by meeting all applicable requirements of the Land Development Code, which may include increased yard setbacks. The MUL land use category, as stated in Policy 4.1.1 of the Future Land Use Element, “shall not be used to extend strip commercial development along a street. Land development regulations shall ensure a compact, pedestrian-friendly environment for these areas, and provide guidelines or standards for the compatibility of permitted uses.”

See Table 1 on Page 11 of this document for a tabular summary of adjacent existing uses and adjacent land use and zoning categories.

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 (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.). Part of the northern portion of the property is in FEMA Flood Zone A (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. No base flood elevations or depths are shown within this zone.). See Exhibit B-5 for map of FEMA flood zones.

Regulated surface waters/wetlands are present within and adjacent to the 9.9-acre petition area. Any future development project which may be proposed on the petition area is required to avoid impacts to the surface water or wetland, which includes meeting an average 50-foot buffer/setback from the jurisdictional boundary. Any unavoidable wetland impacts associated with any future development project within or adjacent to the petition area would be required to be minimized and compensated through mitigation which offsets functional loss and meets other applicable criteria for mitigation, in accordance with Section 30-302.1 of the Land Development Code (LDC).

Natural and archaeological resources regulated pursuant to Land Development Code 30-310 are known to be present on the Planning Parcel area, which includes the 9.9-acre petition area. A resources assessment report was submitted with the petition application in accordance with a methodology agreement between the applicant and City staff. The assessment report, based on current survey information, provides a basis for considerations and recommendations for protection of the regulated resources that occur on the Planning Parcel. Listed species (defined in Section 30-23 of the LDC), including wading birds and plant species, are known to occur in or use the wetland ponds and surrounding habitat, primarily within the adjacent, applicant-owned

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area of Parcel 06809 to the north. The first future development master plan or project which is proposed within the Planning Parcel area (which includes the land areas of this petition) will be required to comply with the LDC Section 30-310.4 provisions for avoidance and protection of the regulated resources, i.e., for the listed species and associated habitats.

See Exhibit B-6 (Memorandum from the City's Environmental Coordinator).

4. Support for Urban Infill and/or Redevelopment

This proposed small-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 Objectives 1.5, see page 4 of this report). The proposed change in land use from the Commercial and Residential-Medium Density (8-30 units/acre) category to the Mixed-Use Low-intensity (8-30 units per acre) category will provide increased infill opportunities by allowing both for future mixed-use development and additional future residential development. This undeveloped property is surrounded (see *) by existing development and urban facilities (* other than the adjacent, undeveloped, 6-acre, applicant-owned property to the north that is in the floodplain and has extensive wetlands).

5. Impacts on Affordable Housing

The proposed small-scale land use amendment may have a positive impact on the supply of potential affordable housing in the City. The proposed MUL land use category will increase the potential for future residential development of up to 30 units per acre because it will be applicable to 9.9 acres (rather than 1.65 acres under the existing RM category), for a potential maximum of 297 residential units (rather than a maximum of 49 residential units for the existing 1.65 acres in the RM land use category).

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 C of the Gainesville Transportation Mobility Program Area (TMPA) and is proximate to (within 535 feet) Butler Plaza (a regional shopping center on the north side of Archer Road and which is an Existing Transit Hub. See Exhibit B-4 for map of Existing Transit Hubs & Transit-Supportive Areas). The property is on both sides of S.W. 37th Boulevard, a two-lane, local street with sidewalks where there is adjacent development) that is served by RTS (Regional Transit System).

The site is currently served by RTS Routes 12 and 62. Route 12 (Reitz Union to Butler Plaza) provides service along S.W. 37th Blvd, South of Archer Road every 10-25 minutes on weekdays, every 20-45 minutes on Saturdays and every 45 minutes on Sundays. Route 62 (Oaks Mall to Lexington Crossing) provides service along S.W. 37th Blvd, South of Archer Road every 60 minutes on weekdays and no service on weekends. (RTS Route 75 (Oaks Mall to Butler Plaza) provides service along nearby Archer Road every 35-53 minutes on weekdays, and every 105 minutes on Saturdays with no service on Sundays.)

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The proposed land use change from RM (currently on 1.65 acres of the 9.9-acre property) to MUL will result in no change in the maximum allowable density of 30 units per acre, and therefore no change in trip generation if a comparable residential project were to be developed on an equal area (1.65 acres) of the property. The proposed land use change from Commercial (approximately 8.25 acres) to MUL could potentially result in an overall relative reduction in trip generation due to trip capture by mixed use development.

On page 8 of the applicant's Land Use Change & Rezoning Justification Report (see Exhibit C-1, Application), the applicant has estimated the trip generation for a hypothetical development scenario consisting of 135 multi-family residential units and 25,000 square feet of specialty retail development. The total PM peak trips are estimated at 130 and the total Average Daily Trips are estimated at 1,204. The applicant's exercise did not include, for comparison purposes, an estimate of trip generation for a development scenario under the existing Commercial and RM land use for this undeveloped property.

The City rescinded transportation concurrency with the adoption of its updated Comprehensive Plan. Therefore, development within TMPA Zone C is not required to meet level of service (LOS) requirements for concurrency, but is required to comply with the TMPA Zone C requirements of Policies 10.1.5 and 10.1.7 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 an April 20, 2015 e-mail, Alice Rankeillor, GRU Utility Engineer stated that this property "is not currently served by water and wastewater utilities. According to GRU policy, the developer of the property will be responsible for the cost of extending water and wastewater service connections and for any off-site system improvements that may be necessary to provide service. 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-7 for Letter from Alachua County Public Schools) to assess the potential impact of the proposed land use amendment upon school capacity. Review of potential public school facility impacts of land use amendments for mixed-use categories uses a maximum residential impact of 50 percent of the involved acreage, per methodology approved by the Alachua County Public Schools and the Florida Department of Education. Therefore, the review was based on 124 net additional residential units.

Student generation estimates for this land use amendment indicate that 5 elementary school seats, 2 middle seats and 2 high school seats would be required at project buildout for 124 residential units. Based on capacity and level of service projections, the additional middle school and high school seats can be reasonably accommodated during the School District's 5, 10 and 20-year planning periods. This is not the case for the additional elementary school seats because the South Gainesville Concurrency Service Area (CSA) is currently deficient. This CSA presently

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provides a capacity (adopted LOS standard of 100 percent) of 2,351 seats. The current enrollment of 2,540 students means that there is 108 percent utilization. The school district is currently reviewing options for resolving level of service issues in this elementary CSA.

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

The proposed small-scale land use amendment will add 9.9 acres to the Mixed-Use Low-Intensity (8-30 units per acre) land use category. There are approximately 611.3 acres of land with the MUL land use category. Of that total, approximately 473.7 acres are developed and approximately 137.6 acres are undeveloped. The Mixed-use low-intensity category will promote infill development and expand the possibilities for future mixed-use development in close proximity to a major arterial roadway (Archer Road) and to the designated Existing Transit Hub (Butler Plaza) on its north side.

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 mixed-use infill development within an urbanized area of the city. The regulated natural resources (wetlands) 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 undeveloped property is in an urbanized area that is served by public utilities and other public services. Although this property is not currently served by water and wastewater utilities, the developer of the property will be responsible for the cost of extending water and wastewater service connections and for any off-site system improvements that may be necessary to provide service.

The property is served by S.W. 37th Boulevard (a 2-lane local street) which intersects 400 feet to the north with Archer Road (a 6-lane arterial roadway), and is located in Transportation Mobility Program Area (TMPA) Zone C.

- (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 encourage compact development by allowing development of both residential and non-residential uses on the same site. The proposed Mixed-Use Low-Intensity (8-30 units per acre) land use will allow up to 297 residential units, which is an increase of 248 over the maximum of 49 units allowed under the current RM land use that is on 1.65 acres of the 9.9-acre property. As stated in Policy 4.1.1 of the Future Land Use Element, the MUL “category allows a mixture of residential and non-residential uses such as standard lot single-family houses, small-lot single-family houses, duplex houses, townhouses (attached housing), accessory dwelling units, group homes, multi-family housing (if compatible in scale and character with other dwellings in the proposed neighborhood), offices scaled to serve the surrounding neighborhood, retail scaled to serve the surrounding neighborhood, public and private schools, places of religious assembly and other community civic uses...”

The property is served by two RTS routes along S.W 37th Boulevard, and a third RTS route runs along nearby Archer Road. Sidewalks are on both sides of S.W 37th Boulevard where there is adjacent development, and sidewalk extension along the property’s frontage will be required at the time of development plan approval.

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- (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

Yes. The proposed Mixed-Use Low-Intensity land use allows for a mix of nonresidential and residential uses. The proposed mixed-use land use category for this property will help meet the nonresidential needs of the residents of this populous part of the City. It will also help meet the demand for housing in this area by providing additional acreage for future residential development.

- 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 increase the potential for mixed-use development on the property. Mixed-use development coincides with the City's economic development goal of encouraging infill development. The MUL category is a relatively flexible land use category that can facilitate economic development by allowing a mix of non-residential and residential development in response to changing market conditions.

- 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,



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Principal Planner



Prepared by: Dean Mimms, AICP
Lead Planner

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Table 1

Adjacent Existing Uses

North	Vacant, undeveloped; restaurants
South	Child-care center; multi-family residential
East	Multi-family residential
West	Single-family and two-family residential

Adjacent Zoning and Land Use and Zoning

	Land Use Category	Zoning Category
North	Commercial	BUS (General business district)
South	RM - Residential Medium-Density (8-30 units per acre)	RMF-8 (Multiple-family medium-density residential, 8-30 units per acre)
East	RM - Residential Medium-Density (8-30 units per acre)	RMF-8 (Multiple-family medium-density residential, 8-30 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 Land Use

Exhibit B-3 Map: Proposed Land Use

Exhibit B-4 Map: Existing Transit Hubs & Transit-Supportive Areas

Exhibit B-5 Map: FEMA Special Flood Hazard Area (SFHA)

Exhibit B-6 Memorandum from the City's Environmental Coordinator

Exhibit B-7 Letter from Alachua County Public Schools

Appendix C Application

Exhibit C-1 Application