

Petition 155PDV-04 PB, Legislative Matter No. 040659 *a*
City Plan Board and Staff Conditions
April 21, 2005

Condition 1. The distribution of uses, pattern of development and development standards within the developable areas shall be in accordance with the development standards of the University Heights Special Area Plan and the underlying RH-2 Zoning District

Condition 2. The proposed development shall meet the standards of the Main Street Shopfront Building as defined in the University Heights Special Area Plan.

Condition 3. The uses allowed within the development shall be those uses allow as a permitted use by right in the MU-1 (Mixed-Use Low Intensity) zoning district, except that no use prohibited by the University Heights Special Are Plan shall be allowed. Drive-through facilities shall also be prohibited.

Condition 4. There shall be no independent freestanding building devoted to non-residential uses.

Condition 5. The building along Southwest 13th Street should be setback between 10 to 30 feet from the curb. The exact placement should be one that would facilitate the following:

- a. Allows sidewalks between 8 to 10 feet wide,
- b. Allows placement of street trees
- c. Provides for the greatest pedestrian safety,
- d. Allows separation from the high volume traffic activity of the street,
- e. Addresses the required variation in building rhythm; and
- f. Provide for units to have an orientation and entrance off the street.

Condition 6. Buildings should be oriented and designed to be consistent with the University buildings across Southwest 13th Street and the character of the neighborhood. If residential units are located at the ground level, each unit shall have a direct orientation and access to the street.

Condition 7. Building along Southwest 13th Street should present an architectural style, which reflects a multiple-unit façade, each with a separate identity. Entrances at ground level should be oriented towards the street with stairs, porches or a compatible entrance feature directly related to the adjacent sidewalk.

Condition 8. Signage for the development shall be in accordance with the University Heights Special Area Plan requirements.

Condition 9. The east part of the development shall be integrated with the adjacent development and the alley to facilitate the most efficient traffic flow, parking, landscaping and buffering. The exact design and relationships shall be determined during development plan review

Condition 10. No opaque fencing is allowed between the street and the buildings. The exact type, height and placement of fencing shall be determined during development plan review.

Condition 11. The size, location and design of solid waste containers shall meet safety and accessibility requirements. They shall reflect the architectural style and materials of the principal building. Solid waste containers or compactors, shall be placed so that vehicles required to access them shall not have to reverse more than 300 feet and not back-out onto the public right-of-way. This shall apply to any private street or road serving as a major traffic conduit. Alleyways are excluded from the back-out requirement.

Condition 12. Except as expressly provided herein, the density and intensity of the development shall be regulated in accordance with the University Heights Special Area Plan and the RH-2 zoning District. The maximum allowable non-residential floor area shall be 40% of residential floor area existing but shall not exceed 32,000 square feet.

Condition 13. Vehicular access, parking and circulation shall comply with all city regulation. There shall be clear separation between through public streets and vehicular activities directly related to the private development. No vehicular access shall be allowed from Southwest 13th Street.

Condition 14. The development shall be required if necessary to address design modifications to the adjacent development to achieve the required safe and efficient flow of traffic and service vehicles. The details shall be proposed and reviewed at development plan review.

Condition 15. One access point each shall be allowed off Southwest 3rd Avenue and Southwest 4th Avenue. The configuration and location of each access shall be determined during development review. The reviewing body shall impose standards appropriate to facilitating safe and efficient movement of traffic. All traffic improvements shall be at the full expense of the applicant. The final determination of access points shall be based on a full traffic analysis.

Condition 16. During development review, the city shall analyze the proposed development in terms of its traffic impact on the existing roadway and traffic signalization patterns. The petitioner/developer may be required to make improvements commensurate with the potential impacts of the development on the roadway system

Condition 17. No vehicular parking is required but the development shall ensure that the use of automobiles associated with the development is efficiently managed. Bicycle parking shall be provided at a rate determined during development plan review. The amount of parking for each category shall be determined during development review. Bicycle parking shall however not be less than 10% of required parking and motorcycle parking shall not be less than 5% of required parking based on one parking space per bedroom.

Condition 18. Along Southwest 3rd and Southwest 4th Avenues, building setbacks shall be established in a manner that will allow placement of a 6' to 8' wide sidewalk, allow tree planting and a street entrance along that Avenue

Condition 19. In areas where existing sidewalks are deficient or deteriorated, the development shall provide sidewalks to meet code requirements.

Condition 20. The PD shall be valid for a period of two (2) years. During that period, the appropriate reviewing board must issue development plan approval. Final development plan approval, from the TRC, must be obtained within one year of obtaining preliminary development approval from the board. A construction schedule shall be adopted during development review.

Condition 21. Application for a building permit must be filed within one year of obtaining a final development order. Construction must commence no later than one year after obtaining a final development order or one year after receiving a building permit, whichever is the later

Condition 22. The city commission may approve a one-time, one-year extension of the valid dates of the PD, after review by the City Plan Board. This also includes the valid period for obtaining a building permit and commencing construction.

City of
Gainesville

Inter-Office Communication

Planning Division
X5022, FAX x2282, Station 11

Item No. 6

TO: City Plan Board

DATE: April 21, 2005

FROM: Planning Division Staff

SUBJECT: Petition 155PDV-04PB. Causseaux & Ellington, Inc., agent for Trimark Corporation. Rezone property from RH-2 (residential high density, 8-100 du/acre) to PD (planned development) for a mixed-use development of multi-family residential, office and commercial use. Located at 1231 Southwest 3rd Avenue and 321 Southwest 13th Street. Related to Petitions 154LUC-04 PB and 179ZON-04.

Recommendation

Planning staff recommends approval of Petition 155PDV-04 PB with conditions.

Explanation

This petition is a request to change the zoning of a group of parcels located between Southwest 3rd and 4th Avenues, along the eastside of Southwest 13th Street. The properties are located within the University Heights Special Area Plan, zoned RH-2 (Residential High Density, 8-100 du/acre) and have a land use designation of Residential High-Density (8-100 units per acre). The owner of the subject property wishes to pursue a mixed-use development, to include 40 dwelling units consisting of 80,000 square feet and 40,000 square feet of non-residential uses, which would exceed the 25% of residential floor area limit, devoted to non-residential uses, allowed by the existing RH-2 zoning. The petitioner has not provided a breakdown by type of use in the request. Based on information provided, the requested amount is approximately 50% of the proposed area of residential use. The proposal of 40 dwelling units on 0.68 acres will result in a density of 58.8 units per acre, which is within the allowable base density of 80 dwelling units per acre. Surrounding land uses, zoning and existing surrounding uses are shown on the attached Maps 2, 3, 3A and 4.

Analysis

It is the purpose of the Planned Development District to provide a method for landowners or developers to submit unique proposals, which are not provided for or allowed in the zoning districts otherwise established by the land development code. In particular, these provisions allow a mix of residential and nonresidential uses and/or unique design features, which might not otherwise be allowed in the district. This planned development request includes a PD layout

plan and a development plan report to support the request. The applicant intends to file for full development plan review after approval of the Land Use and Planned Development ordinance. In reviewing the proposed Planned Development, staff considered the following criteria:

Conformance with comprehensive plan

The essential elements of the development as proposed, are in conformance with the overall goals and objectives of the Comprehensive Plan. The associated land use petition, contain details, which will be included to ensure full compatibility and conformance as the proposal if implemented. The type of uses proposed in the Planned Development zoning is also consistent with what is required in the comprehensive plan as well as the specific land use designation of Planned Use District. The request is different in terms of the amount of non-residential uses allowed at the subject location. Other aspects of the development are consistent as proposed, while others will be addressed in other parts of this document under the appropriate section.

Concurrency

A concurrency review has been conducted on the development. A determination has been made that the adjacent road network has adequate capacity to accommodate the traffic, which will be generated by the development. A preliminary or final certificate of concurrency will be considered during the development review process. The proposal is located in zone A of the Transportation Concurrency Exception Area.

Internal compatibility

The development as proposed comprises residential, offices and commercial uses. Residential is proposed as the predominant use with commercial and office using making up 40,000 square feet of the development. The proposal does not indicate how those uses will be distributed and the relationship of the residential to the non-residential uses. Information provided in the report indicates that the internal development pattern will be consistent with the requirements of the University Heights Special Area Plan. Although one of the maps in the PD application shows a number of buildable areas, there are no clear indications or guidelines to the intensity and distribution of development.

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Condition 2. The proposed development shall meet the standards of the Main Street Shopfront Building as defined in the University Heights Special Area Plan.

Condition 3. The uses allowed within the development shall be those uses allow as a permitted use by right in the MU-1 (Mixed-Use Low Intensity) zoning district, except that no use prohibited by the University Heights Special Are Plan shall be allowed. Drive-through facilities shall also be prohibited.

Condition 4. There shall be no independent freestanding building devoted to non-residential uses.

External compatibility

The subject property is within close proximity to the University of Florida and surrounded by residential development on the north, east and south. The attached maps show the surrounding future land use designation as Residential High and Educational. The subject property is bounded on three sides by significant roadways and by an alley on the eastside. Each face presents a different development pattern, which calls for a different type of relationship. The west side faces Southwest 13th Street which offers a stronger office type relationship, higher volumes of traffic, greater potential for pedestrian activities and a greater pull on the orientation and frontage of the development, related to the university. This façade will receive the greatest amount of activity in terms of the relationship of the development to the immediate and surrounding neighborhoods. The development should, therefore, present a strong orientation and compatible relationship to that street and adjacent uses.

Currently, the existing land use and zoning on the subject property is considered externally compatible with surrounding development. The difference between the current development standards and the petitioner's request is the amount of non-residential uses allowed relative to the proposed residential floor area. The proportions allocated under the comprehensive plan have a rational and logical basis. It is expressed in several of the land use goals, objectives and policies referenced several times in the applicant's application. Additionally, staff references the following:

Objective 1.4 Adopt land development regulations that promote mixed-use development within the city.

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.

Goal 4. The land use element shall foster the unique character of the city by directing growth and redevelopment in a manner that uses neighborhood centers to provide goods and services to city residents; protects neighborhoods; distributes growth and economic activity throughout the city in keeping with the direction of this element; preserves quality open space and preserves the tree canopy of the city. The land use element shall promote statewide goals for compact development and efficient use of infrastructure.

Objective 4.2 The city shall implement regulations that will protect low-intensity uses from the negative impacts of high-intensity uses and provide for the healthy coexistence and integration of various land uses.

It is, therefore, appropriate to allow a modification that would be consistent with the stated goals and objectives. To what extent should the current standard be modified is certainly dependent on

the ratio of residential to non-residential and to the type and distribution of those uses. Staff has determined that a fully implemented development as proposed has the potential of achieving the end goals and objectives of the comprehensive plan as it relates to this district. A piece-meal approach would not meet those goals and has the tendency of leading to strip non-residential development

Due to the nature of the street, the existing and expected volume of traffic, it is not expected that the residential development will be brought up to the street edge in the same manner that is anticipated for a commercial and office development. However, the development should present a façade with a strong orientation towards the main thoroughfare, as well as to the adjoining secondary avenues. The 13th Street façade will receive the greatest amount of activity in terms of the relationship of the development to the immediate and surrounding neighborhoods.

Condition 5. The building along Southwest 13th Street should be setback between 10 to 30 feet from the curb. The exact placement should be one that would facilitate the following:

- a. Allows sidewalks between 8 to 10 feet wide,
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public right-of-way. This shall apply to any private street or road serving as a major traffic conduit. Alleyways are excluded from the back-out requirement.

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

Except for the percentage of non-residential floor area, the development is proposed in general compliance with the development standards of the RH-2 zoning district and the University Heights Overlay District. A total of 40 dwelling units are proposed at a density of 58.8 dwelling units per acre, well below the 80 units per acre allowed. The request is to increase the allowable non-residential square footage to a total of 40,000 square feet; that is a 100% increase over what is allowed, based on the proposed square footage of residential use. The size of the subject parcel is 29,620.8 square feet. Typically, approximately 20% of a site is consumed in setbacks, parking and services, stormwater, landscaping, pedestrian circulation and open space. This leaves a building footprint of approximately 23,000 square feet. Considering that the area is in an urban area, using 10% in the above listed amenities leaves approximately 27,000 square feet of building footprint. Allowable height in the district is 58 feet or five stories. Three stories are proposed along Southwest 3rd and 4th Avenues. In is staff opinion that a reduced total of non-residential area would be more appropriate and compatible with the general area. This is based on the above information, the type of density and intensity allowed in both the RH-2 and the University Heights Special Area Plan and the nature and type of surrounding developments.

Condition 12. Except as expressly provided herein, the density and intensity of the development shall be regulated in accordance with the University Heights Special Area Plan and the RH-2 zoning District. The maximum allowable non-residential floor area shall be 40% of residential floor area existing but shall not exceed 32,000 square feet.

Environmental constraints

The subject property is currently developed and will not have any additional negative impacts on the natural environmental resources.

External and Internal transportation access

The development is bounded on all sides by an efficient network of roads. Vehicular access will be provided off Southwest 3rd and 4th Avenues at the existing intersection of the alley with the avenues. No vehicular access is proposed off Southwest 13th Street. Parking and vehicular circulation is intended to be on the east side of the property along the alley.

Condition 13. Vehicular access, parking and circulation shall comply with all city regulation. There shall be clear separation between through public streets and vehicular activities directly related to the private development. No vehicular access shall be allowed from Southwest 13th Street.

Condition 14. The development shall be required if necessary to address design modifications to the adjacent development to achieve the required safe and efficient flow of traffic and service vehicles. The details shall be proposed and reviewed at development plan review.

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Condition 16. During development review, the city shall analyze the proposed development in terms of its traffic impact on the existing roadway and traffic signalization patterns. The petitioner/developer may be required to make improvements commensurate with the potential impacts of the development on the roadway system

Off-street parking

The development is within a district where no motor vehicle parking is required. The intent of no required parking is to facilitate developments, which would emphasize a strong or predominant pedestrian orientation. To this end, the development shall ensure the efficient accommodation and circulation of vehicles associated with the development.

Condition 17. No vehicular parking is required but the development shall ensure that the use of automobiles associated with the development is efficiently managed. Bicycle parking shall be provided at a rate determined during development plan review. The amount of parking for each category shall be determined during development review. Bicycle parking shall however not be less than 10% of required parking and motorcycle parking shall not be less than 5% of required parking based on one parking space per bedroom.

Sidewalks, trails and bikeways

The development is in an area, which strongly encourages pedestrian movement. It is therefore expected that sidewalks will be a prominent feature of the development. Sidewalks are required along all streets on which the development fronts. Adequate space shall be provided or secured for placement of the sidewalks. Internal movement should be facilitated through the provision of sidewalks linking buildings and main areas of activity.

The development includes a residential portion and is itself located adjacent to an existing residential area. It also contains uses, which are heavily supported by pedestrians. It is, therefore, obvious that there is a need to facilitate pedestrian movement within the proposed residential area and to the adjacent existing residential area. The existence of a small neighborhood park also emphasizes the need to facilitate pedestrian movement.

Condition 18. Along Southwest 3rd and Southwest 4th Avenues, building setbacks shall be established in a manner that will allow placement of a 6' to 8' wide sidewalk, allow tree planting and a street entrance along that Avenue

Condition 19. In areas where existing sidewalks are deficient or deteriorated, the development shall provide sidewalks to meet code requirements.

Public facilities

Public facilities are available within close proximity to the development site.

Unified control

Documents provided with the application indicate unified control of the property

Development time limits

The development is proposed as a single phase.

Condition 20. The PD shall be valid for a period of two (2) years. During that period, the appropriate reviewing board must issue development plan approval. Final development plan approval, from the TRC, must be obtained within one year of obtaining preliminary development approval from the board. A construction schedule shall be adopted during development review.

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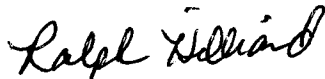
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Bonds

This section is not applicable at this time, during subdivision review, any required bonding will be addressed at a later date.

Staff recommends approval of the petition with the conditions outlined above.

Respectfully submitted,



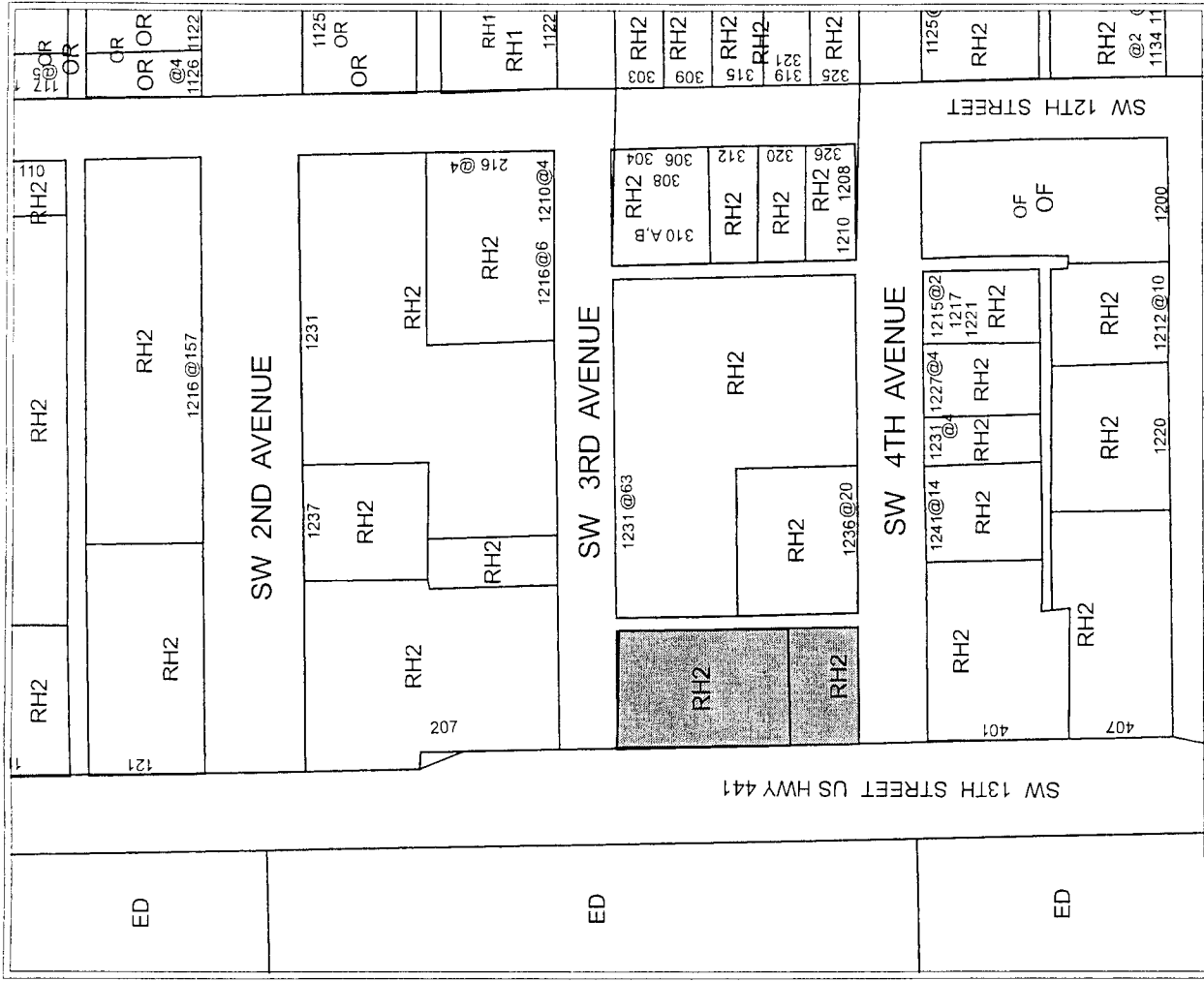
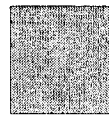
Ralph Hilliard
Planning Manager, Community Development
LDC:lde

Zoning Districts

- RSF1 Single-Family Residential (3.5 du/acre)
- RSF2 Single-Family Residential (4.6 du/acre)
- RSF3 Single-Family Residential (5.8 du/acre)
- RSF4 Single-Family Residential (8 du/acre)
- RMF5 Residential Low Density (12 du/acre)
- RC Residential Conservation (12 du/acre)
- MH Mobile Home Residential (12 du/acre)
- RMF6 Multiple-Family Medium Density Residential (8-15 du/acre)
- RMF7 Multiple-Family Medium Density Residential (8-21 du/acre)
- RMF8 Multiple-Family Medium Density Residential (8-30 du/acre)
- RMU Residential Mixed Use (up to 75 du/acre)
- RH1 Residential High Density (8-43 du/acre)
- RH2 Residential High Density (8-100 du/acre)
- OR Office Residential (up to 20 du/acre)
- OF General Office
- PD Planned Development
- BUS General Business
- BA Automotive-Oriented Business
- BT Tourist-Oriented Business
- MU1 Mixed Use Low Intensity (10-30 du/acre)
- MU2 Mixed Use Medium Intensity (14-30 du/acre)
- CCD Central City District
- W Warehousing and Wholesaling
- I1 Limited Industrial
- I2 General Industrial
- AGR Agriculture
- CON Conservation
- MD Medical Services
- PS Public Services and Operations
- AF Airport Facility
- ED Educational Services
- CP Corporate Park

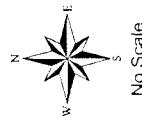
- Historic Preservation/Conservation District
- Special Area Plan
- Division line between two zoning districts
- City Limits

Area under petition consideration



ZONING

Name	Petition Request	Map(s)	Petition Number
Causseaux & Ellington, Inc. agent for Trimark Corp.	From RH2 to PD	4050	155PDV-04PB



No Scale

Condition 18. Along Southwest 3rd and Southwest 4th Avenues, building setbacks shall be established in a manner that will allow placement of a 6' to 8' wide sidewalk, allow tree planting and a street entrance along that Avenue

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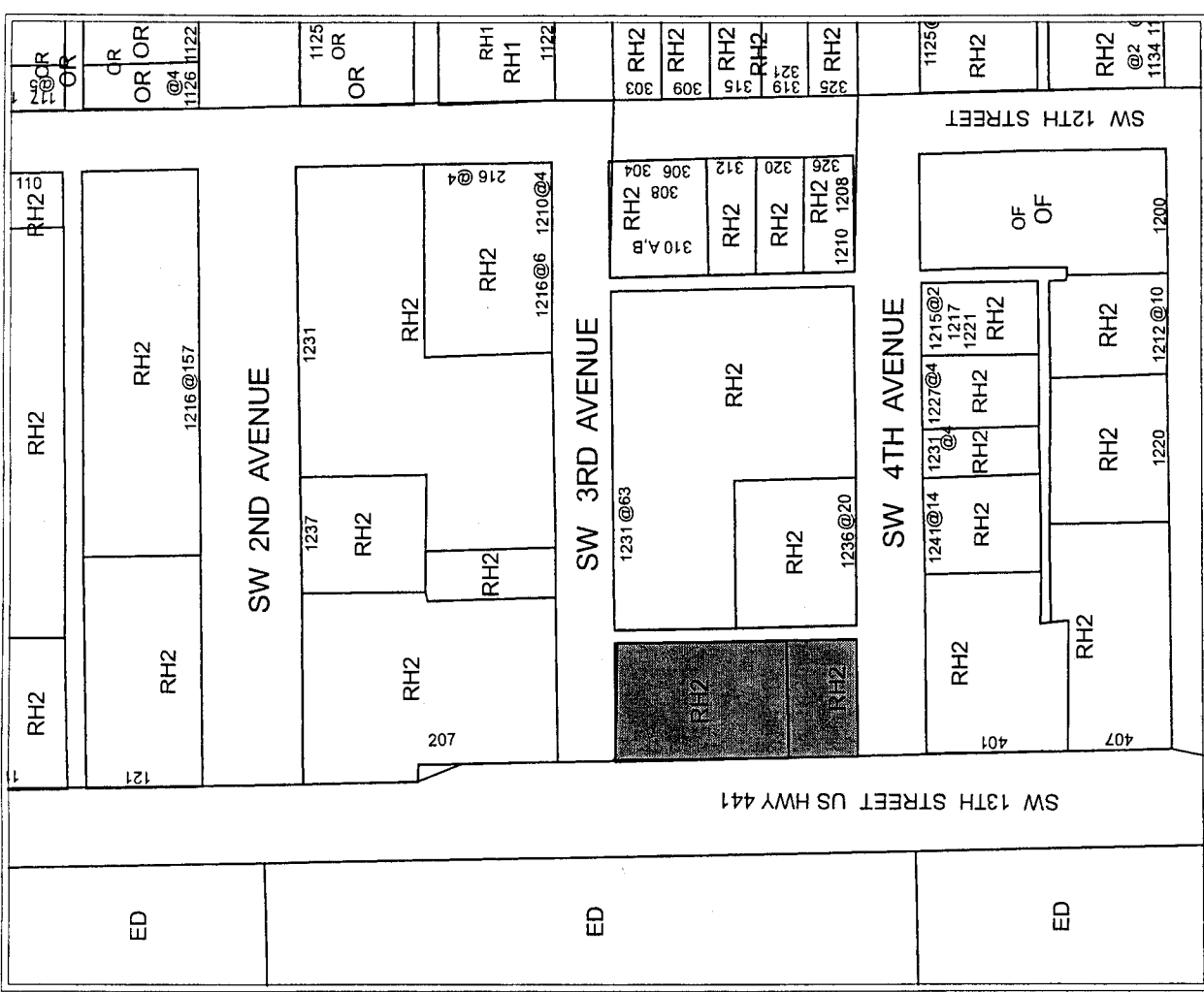
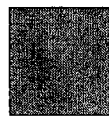
Ralph Hilliard
Planning Manager, Community Development
LDC:ldc

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- RMU Residential Mixed Use (up to 75 du/acre)
- RH1 Residential High Density (8-43 du/acre)
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No Scale

SITE PLAN EVALUATION SHEET

DEVELOPMENT PLAN & SUBDIVISION REVIEW EVALUATION

CURRENT PLANNING ROOM 16, OLD LIBRARY

222 East University Avenue 334-5023

Petition No. <u>155PDV-04PB</u> Review Date: 11/12/2004 Review For: <u>Trimark Corporation</u> Plan Reviewed: 11/12/2004 Project Name: <u>Trimark Corporation</u> <u>Causseaux & Ellington, Inc., agent for Trimark Corporation.</u> <u>Rezoning from RH-2 to PD to allow Residential, Offices and</u> <u>Commercial. Located at 1231 SW 3rd Avenue.</u>	Review Type: <u>Preliminary Final Amend.</u> Project Planner: <u>Lawrence Calderon</u>
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I. Department Comments

- | | | |
|-----|---------------------|---------------------------|
| 1. | Planning - | Approved with conditions. |
| 2. | Public Works Dep. - | Approved with conditions |
| 3. | G.R.U.- | Approved with conditions |
| 4. | Police - | Approved with conditions |
| 5. | Fire - | Approved as submitted |
| 6. | Gas - | No Comments |
| 7. | Building - | Approved with conditions |
| 8. | Arborist - | Approved with conditions |
| 9. | Other - ACDEP - | Approved as submitted |
| 10. | Concurrency | Approved with conditions |

II. Overall Recommendation

Staff recommends approval of the petition with the attached conditions.