



PLANNING & DEVELOPMENT SERVICES DEPARTMENT

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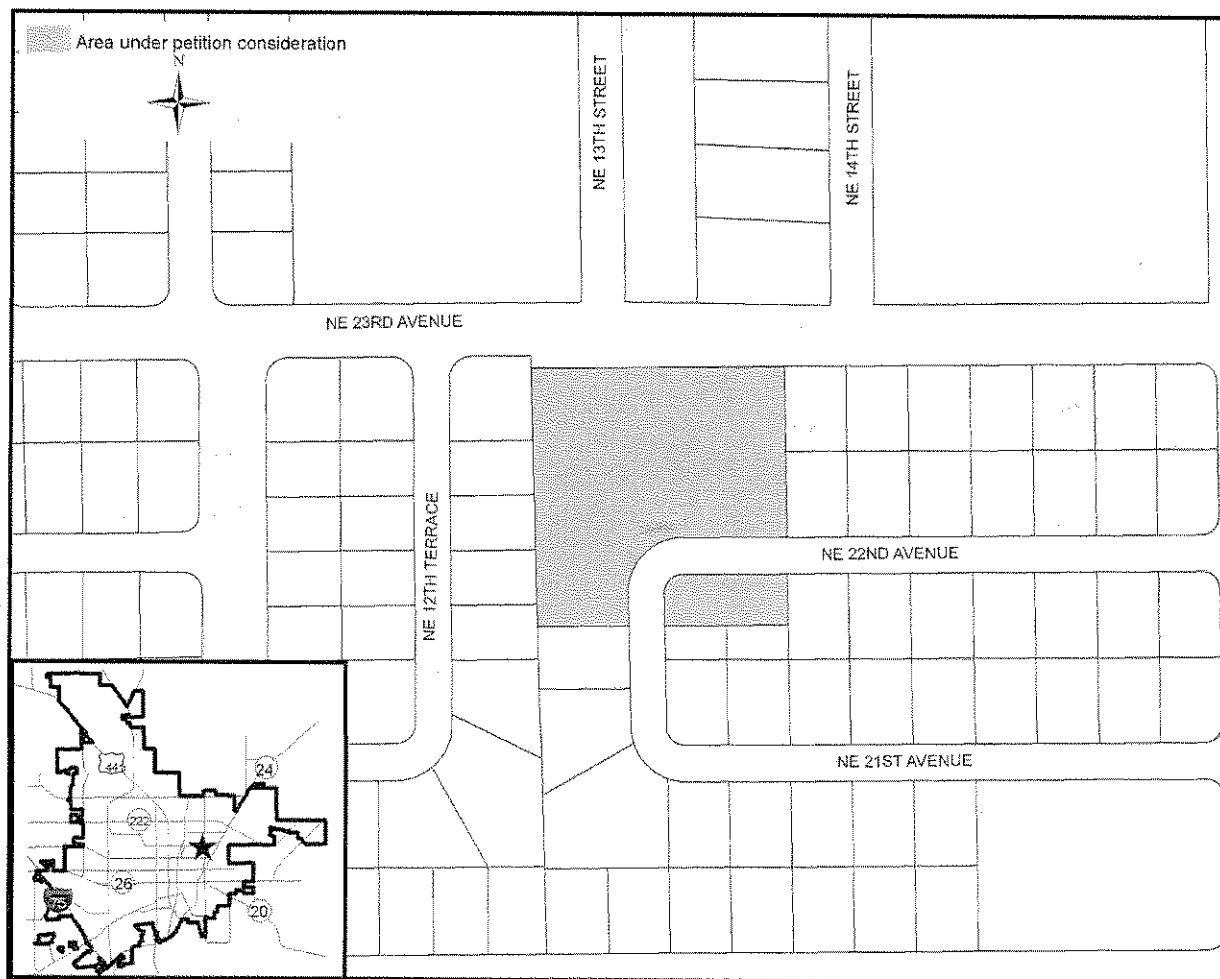
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TO: City Plan Board**Item Number: 1****FROM: Planning & Development Services Department
Staff****DATE: February 28,
2013****SUBJECT: Petition PB-13-007 LUC. Eng, Denman & Associates, agent for ABC
Appletree Inc. Amend the City of Gainesville Future Land Use Map from
Recreation (REC) to Education (E). Located at 1303 NE 23rd Avenue.
Related to PB-13-008 ZON.****Recommendation**

Staff recommends approval of Petition PB-13-007 LUC.



Description

This petition requests a small-scale amendment to the future land use map from Recreation (REC) to Education (E). The property under consideration is located at 1303 NE 23rd Avenue and is approximately 2.8 acres in size. The existing land use designation is Recreation (REC), while the current zoning is Public services and operations district (PS). The site is the former location of the McGurn Family YMCA. The property includes a large main building, smaller accessory structures, roofed and fenced basketball courts, a swimming pool, a wading pool and open space. The property is not located within any special area plan area, or other overlay district. This petition is related to Petition PB-13-008 ZON, which would change the zoning on the property from PS to Educational services district (ED). Please see the map on page 1 for the location of the subject property, and Appendix B for the full map series.

The petitioners are bringing forth this land use amendment because they are proposing to redevelop the unoccupied site into a charter school. A charter school is not an allowed use within the Recreation land use category or the PS zoning district. The property is located on the south side of NE 23rd Avenue. All of the property adjacent to the site has Single-Family land use with RSF-2: 4.6 units/acre single-family residential district (RSF-2) zoning. On the east and west side of the property are single-family homes. To the south of the property is vacant land with environmental features that has never been developed. This land was part of the YMCA development site. North of the subject property across NE 23rd Avenue is a place of religious assembly and single-family homes. Both the existing Recreation land use category and the proposed Education land use category identify appropriate areas for either recreational or educational activities. Traditionally, recreational facilities and schools have been located in or very near to residential areas to serve the public that will utilize the services offered at these locations.

The purpose of the proposed land use amendment (and related rezoning petition) is to enable the applicant to facilitate redevelopment of the property into a charter school. This proposal will remove the acreage for this property out of the Recreation land use category, but it will not impact the recently revised acreage-based recreation level of service standards. The previous YMCA use on the property was considered a private recreational facility and the acreage was not used to calculate acreage totals for determining recreation levels of service.

Key Issues

- The proposed land use amendment is consistent with the Comprehensive Plan, as discussed below in “1. Consistency with the Comprehensive Plan.”
- The subject property was a recreation facility (YMCA) which is now proposed to be a charter school that will renovate the buildings and update the site conditions.
- Charter school is not an allowed use within the existing Recreation land use and PS zoning.
- The Education land use category identifies appropriate areas for public and private schools and institutions of higher learning when located outside of neighborhood centers (activity centers).

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/or redevelopment; Impacts on affordable housing; Impacts on the transportation system; Analysis of the availability of facilities and services; and Need for the additional acreage in the proposed future land use category.

1. Consistency with the Comprehensive Plan

The proposed Education land use amendment is consistent with the City's Comprehensive Plan. The following objective and policies are the most pertinent to this petition. Objective 4.2 and Policy 4.2.1 can be adequately met by this petition because a land use category that identifies appropriate areas for public and private schools and institutions of higher learning would replace a land use category that identifies appropriate areas for public and private leisure activities. Land development regulations for both categories address compatibility, scale and intensity of the use compared with surrounding uses to ensure that these uses will be scaled to fit into the character of the area. This proposed land use amendment will not increase intensity of use in the area.

Future Land Use Element

Objective 4.1 The City shall establish land use designations that allow sufficient acreage for residential, commercial, mixed use, office, professional uses and industrial uses at appropriate locations to meet the needs of the projected population and which allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites.

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

Education

This category identifies appropriate areas for public and private schools and institutions of higher learning when located outside of neighborhood centers (activity centers). Land development regulations shall address compatibility with surrounding uses and infrastructure needs, except in a special area plan, where there shall be no floor area ratio maximum. The intensity of development on property covered by a special area plan shall be regulated by the Urban Design Standards that include building height, build-to lines, setback requirements and building coverage to determine intensity of use instead of a maximum floor area ratio.

The list of other applicable comprehensive plan policies is located in Appendix A. This proposal is consistent with the redevelopment objectives of the City as listed in Objective 2.1 of the Future Land Use Element (see Appendix A).

The petition site is located within Zone A of the City's Transportation Concurrency Exception Area (TCEA), which is intended to promote redevelopment and infill in the eastern portion of the city and the area near the University of Florida. At the time of any type of development plan review, the proposal will be required to meet the standards of Policy 1.1.4 of the Concurrency Management Element because of the Zone A location.

2. Compatibility and surrounding land uses

The character of the area of the subject property is single-family residential. To the north across NE 23rd Avenue is a place of religious assembly and single-family dwellings with Single-Family land use and RSF-2 zoning. On both the east and west sides of the subject property there are single family dwellings with Single-Family land use and RSF-2 zoning. South of the site is vacant land with Single-Family land use and RSF-2 zoning.

The previous use was a YMCA recreational facility. A charter school will have similar impacts on the surrounding area. The proposed Education land use designation identifies appropriate areas for public and private schools and institutions of higher learning when located outside of neighborhood centers (activity centers). Land development regulations address compatibility with the surrounding uses as well as issues of accessibility and convenience to the users.

3. Environmental impacts and constraints

There are no major environmental issues concerning the subject property and the proposal for a charter school. The developed parcel is already considered urban land. There are identified wetlands on the far southern end of the site but no development activity is proposed near the area. Stormwater management will be addressed at the time of development plan review. The property is also located within the Tertiary Wellfield Protection Zone associated with the Murphree Treatment Plant and municipal wellfield. Land use constraints and environmental management requirements associated with these environmental overlay zones may be applicable depending on the potential for aquifer/groundwater contamination, but the specific regulation would be determined at the development review stage. The proposed land use amendment does not increase allowable land uses of potential contamination hazard, so regulatory constraints are expected to be minimal. The City's Environmental Coordinator has reviewed the properties and determined that they are exempt from the Natural and Archaeological Resources Protection regulations.

4. Support for urban infill and redevelopment

Redevelopment of the subject property represents an opportunity for additional urban infill development. The parcel is a previously developed property which is being served by existing public facilities (including potable water, wastewater, transit, solid waste, public roads, recreation, and public schools). This type of redevelopment will involve renovating a vacant building and providing educational opportunities to the surrounding residential area.

5. Impacts on affordable housing

This proposed land use amendment will not have an impact on affordable housing because it involves non-residential land use categories.

6. Impacts on the transportation system

The properties are located within Zone A of the City's Transportation Concurrency Exception Area (TCEA), which is intended to promote redevelopment and infill in the eastern portion of the city and near the University of Florida. Regional Transit Service (RTS) Route 15 provides service to this site along NE 23rd Avenue. The number of net, new average daily trips that will be generated by the use proposed for this site has yet to be determined. The location of the property along NE 23rd Avenue will provide adequate accessibility, and development plan review will ensure proper ingress/egress at the site. There is no current or proposed access to any adjacent residential streets.


7. Analysis of the availability of facilities and services

This land use amendment, the rezoning, and subsequent development will utilize existing public utilities that served the previous use. The uses allowed in the Educational services zoning district will not adversely impact adopted levels of service for potable water, wastewater, solid waste, and recreation. Stormwater management is addressed at the time of development plan review.

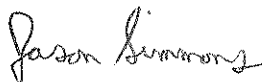
8. Need for the additional acreage in the proposed future land use category

The Education category identifies appropriate areas for public and private schools and institutions of higher learning when located outside of neighborhood centers. The subject property was the location of a YMCA that included assembly areas and recreation facilities, features that are also common in school facilities. Redevelopment of the site into a charter school would be consistent with the provisions of the Education land use category and supportive of the overall redevelopment goals in the Comprehensive Plan.

Respectfully submitted,



Onelia Lazzari
Principal Planner



Prepared by:

Jason Simmons

Table 1

Adjacent Existing Uses

| | |
|--------------|-----------------------------------|
| North | Church, single family residential |
| South | Vacant residential land |
| East | Single family residential |
| West | Single family residential |

Adjacent Zoning and Land Use

| | Land Use Category | Zoning Category |
|--------------|--------------------------|------------------------|
| North | Single-Family | RSF-2 |
| South | Single-Family | RSF-2 |
| East | Single-Family | RSF-2 |
| West | Single-Family | RSF-2 |

List of Appendices

Appendix A Comprehensive Plan GOPs

Exhibit A-1 Future Land Use Element

Appendix B Supplemental Documents

Exhibit B-1 Existing Land Use Map

Exhibit B-2 Proposed Land Use Map

Exhibit B-3 Aerial Map

Appendix C Application and Neighborhood Workshop information

Exhibit C-1 Application – City Plan Board, Neighborhood Workshop
information, Land Use Change & Rezoning Application Boulware
Charter School