

#060105

City of
Gainesville

Inter-Office Communication

Planning Division
X5022, FAX x2282, Station 11

Item No. 4

TO: City Plan Board

DATE: June 15, 2006

FROM: Planning Division Staff

SUBJECT: Petition 31LUC-06PB. Causseaux & Ellington, Inc., agent for S. Clark Butler Properties Land Trust. Amend the City of Gainesville 2000-2010 Future Land Use Map from MUM (Mixed Use Medium Intensity, 12 to 30 units per acre) to RH (Residential High Density, 8-100 units per acre). Located at 2306 SW 13th Street. Related to Petition 32PDV-06 PB.

Recommendation

Planning staff recommends approval of Petition 31LUC-06 PB.

Explanation

This is a petition for a land use change from Mixed Use Medium-Intensity (12–30 units per acre) to Residential High (8–100 units per acre) on approximately 5.5 acres of land. The subject property is located on the west side of Southwest 13th Street, just north of Southwest 25th Place, less than a mile from the University of Florida campus. See Map “A.” This petition is submitted concurrently with a Planned Development (PD) rezoning application that proposes to redesign an existing apartment building and university supportive facility to a residential condominium with associated recreational facilities. The proposed PD project consists of three parcels of land totaling approximately 7.13 acres, and this petition applies to a portion of one parcel (5.1 acres) of the proposed PD project. The applicant is requesting the land use change to allow an increase in residential density to enable revitalization of the Southwest 13th Street corridor and facilitation of additional growth and economic benefit to the neighborhood and City of Gainesville. See Map “B.”

Surrounding Land Uses and Existing Conditions

Land uses along this portion of the Southwest 13th Street corridor are predominantly Commercial and Residential High. The proposed land use change would serve to create more compatibility with the surrounding land uses in the area. As shown on Map “C,” the subject property is bounded to the north and south by Residential High (8-100 units per acre) land use, Education land use immediately to the west, and commercial to the east.

Existing development on the subject parcel includes an 11-story apartment building (Lakeshore Tower) that was developed in 1965. This apartment building currently contains a total of 114 rental units, with a density of 21 units per acre. The current development is within the allowable land use density, Medium Use Medium Intensity (MUM) allows for 12–30 units per acre, but exceeds the density limitation of 20 units per acre, allowed under the current MU-2, (Mixed Use Medium Intensity zoning designation). The existing zoning limits the maximum height to five stories, well below the existing 11-story building on the subject property. Other development includes a pool, picnic and grill area, and parking.

Proposed Uses

The purpose of the proposed land use is to enable redevelopment of an existing apartment tower and to construct an additional 14-story residential tower with associated structures. The applicant is proposing to increase the total number of residential dwelling units on this parcel to 250. Under the current Land Use designation, a maximum of 153 dwelling units may be permitted on the 5.1 acres parcel. The remaining portion of the subject property, 1.71 acres will maintain the existing land use of commercial, which allows only limited residential. Therefore, as a total parcel, the existing land uses would not allow the proposed density of 35.06 dwelling units per acre. The land use change is therefore necessary to allow the intended residential development of 250 dwelling units. In consideration of consistency and compatibility with surrounding land uses, the applicant has requested a land use change to Residential High Density (8–100 units per acre). Although the proposed Residential High land use designation will allow a maximum of 540 residential dwelling units, the applicant wishes to develop only 250 residential dwelling units. Through the proposed Planned Development rezoning (Petition 32PDV-06PB) a density level compatible with the surrounding land uses and existing development will be implemented. Design criteria for the existing and proposed residential tower shall be included in the proposed Planned Development (PD) ordinance.

Environmental Constraints

Although the subject property is currently developed, it contains environmental features regulated under the current comprehensive plan. It appears that a significant amount of space, located primarily on the western side of the parcel, is designated as wetlands. See Map “D.” City of Gainesville land development code requires an average buffer of 50 feet around designated wetlands. In addition, part of the property is in the secondary zone of an eagle’s nest. Alachua County Department of Environmental Protection staff requests the applicant provide information from the Florida Fish and Wildlife Conservation Commission related to the activity status of the nest. The applicant is aware of the environmental constraints and intends to address certain self-imposed limitation on future development. Additionally, development standards will be implemented through the Planned Development (PD) ordinance to further regulate proposed development and potential negative impact to environmental concerns. Since the existing development occurred during the 1960s, there are improvements, which have encroached into the wetland and in some portions, exists closer than the required 50-foot buffer. Those situations create potential negative impacts to the environmental areas; however, carefully designed

development standards and land conservation techniques will be implemented in the PD to mitigate potential negative impacts.

Access

The subject property is located along a four-lane highway, Highway 441/ Southwest 13th Street, and is adequately served by the highway and transit service that operates every 15 minutes during peak hours of service. An access point from Southwest 13th Street will ensure compliance with the transportation mobility element of the comprehensive plan. This land use change is the right step towards implementing objective 1.2 of the Transportation Mobility Element, which strives to ensure that future land use map designations promote transportation objectives by designating residential development of sufficient density in appropriate locations to support transportation choice. Objective 2.1 of the Transportation Mobility Element seeks to establish land use designations and encourage site plans, which reduce trip distances. The focus of Objective 3.2 of the Transportation Mobility Element is to increase transit ridership. Given the high density of the implementing zoning there will be opportunities to support transportation choices. Due to its size, location and proximity to vibrant activity centers, the project has offered strong potential to facilitate several goals and objectives of the Transportation Mobility Element of the Comprehensive Plan. The same is true for bicycle and pedestrian circulation. To address concerns, the PD ordinance and development plan review shall incorporate regulations to control access and facilitate transportation choices.

Overall Compatibility, Density and Intensity of the Proposed Development

Although the proposed land use change to Residential High would allow 8-100 dwelling units per acre, the applicant is proposing all residential units on the 5.1-acre parcel. This will result in a density of approximately 49 units per acre on the parcel with a Residential High Land Use. When the commercial portion is included, the overall density will be 35.06 dwelling units per acre. Implementation of the proposed PD rezoning will include language that will ensure a density which will be compatible with the land use, zoning and uses on surrounding properties. Currently, the existing zoning (Mixed Use Medium-Intensity) allows for a maximum of 20 dwelling units per acre, or 102 total dwelling units. The number of dwelling units existing on this parcel is 114. Although there exists a non-conformance issue related to the number of allowable dwelling units, based on the current Comprehensive Plan, the proposed Residential High land use category will bring the subject property into conformance with the land use designation as well as the goals and objectives of the Future Land Use and Transportation Mobility elements of the Comprehensive Plan.

Given the issues referenced above, staff is concerned about the potential negative impacts of high intensity and density development of the subject property. However, with implementation of sensitive design controls during the PD rezoning and development review, the land use change will maintain a compatible relationship with surrounding land uses.

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Promotes Urban Infill

The proposed development is in an area surrounded by Residential High and Commercial land uses which are fully developed, except for the environmentally sensitive area to the west. There exists on the subject property an eleven story high residential structure containing 114 dwelling units. It is also within close proximity to the University of Florida complex and the Shands Medical center. Therefore, it qualifies as a project that promotes urban infill. It attempts to maximize allowable densities in the area; because of its proximity to the university and other market areas, it supports the city's goal of promoting pedestrian activity and reducing automobile oriented activities.

Staff recommends approval of Petition 31LUC-06PB.

Respectfully submitted,



Ralph Hilliard
Planning Manager, Community Development

+LDC:lde

SRN:srn

Land Use Designations

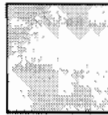
- SF Single Family (up to 8 du/acre)
- RL Residential Low Density (up to 12 du/acre)
- RM Residential Medium Density (8-30 du/acre)
- RH Residential High Density (8-100 du/acre)
- MUR Mixed Use Residential (up to 75 du/acre)
- MUL Mixed Use Low Intensity (10-30 du/acre)
- MUM Mixed Use Medium Intensity (14-30 du/acre)
- MUM Mixed Use High Intensity (up to 150 du/acre)
- UMU1 Urban Mixed Use 1 (up to 75 du/acre)
- UMU2 Urban Mixed Use 2 (up to 100 du/acre)

- O Office
- C Commercial
- IND Industrial
- E Education
- REC Recreation
- CON Conservation
- AGR Agriculture
- PF Public Facilities
- PUD Planned Use District


--- Division line between two land use districts

— City Limits

Area under petition consideration



PROPOSED LAND USE

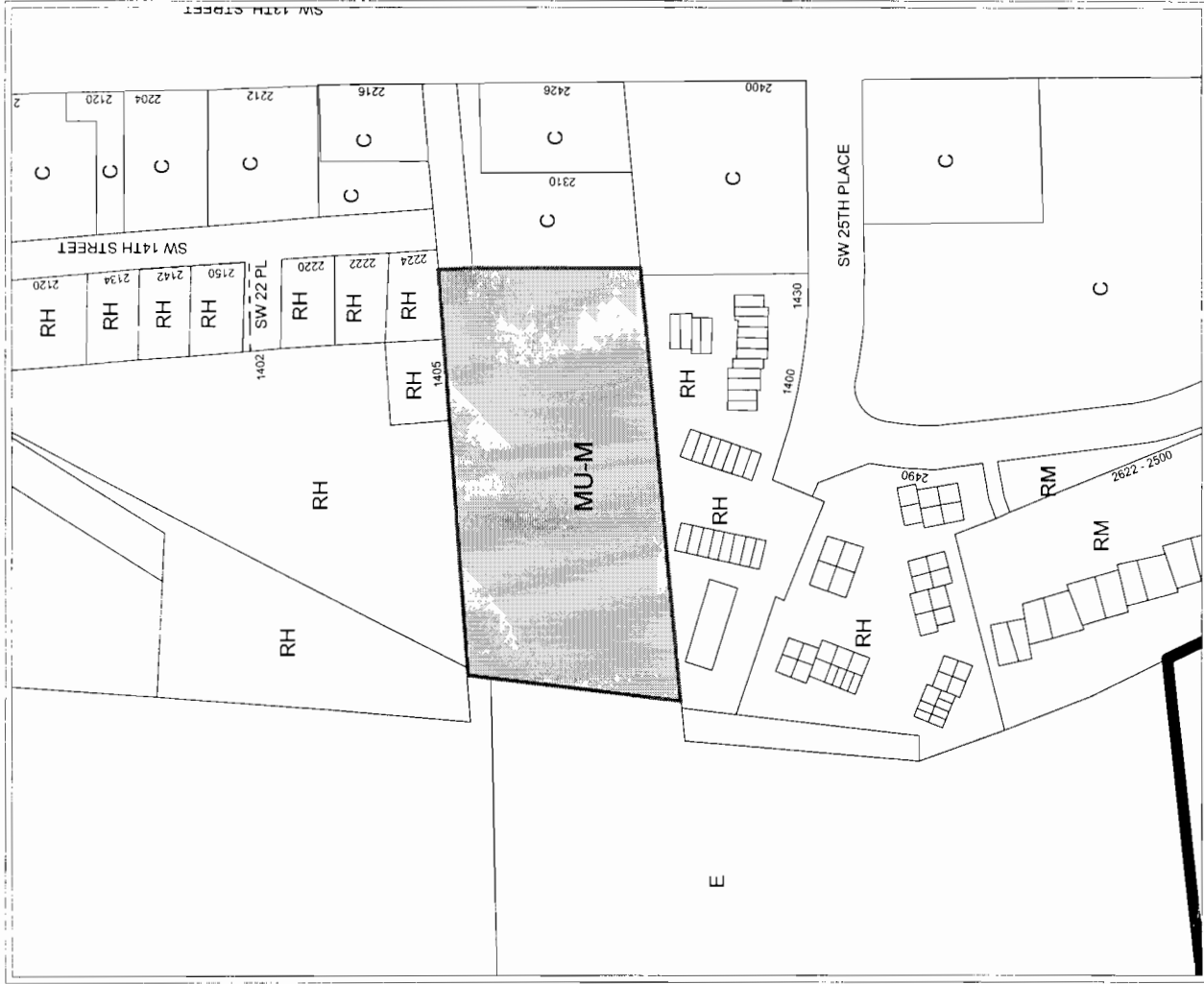
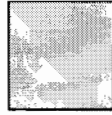
	Name	Petition Request	Map(s)	Petition Number
	Causseaux & Ellington, Inc for S. Clark Butler Properties Land Trust	Change FLUM from MU-M (Mixed Use Medium Intensity, 12-30 du/acre) to RH (Residential High Density, 8-100 du/acre)	4349	31LUC-06PB

Land Use Designations

- SF Single Family (up to 8 du/acre)
- RL Residential Low Density (up to 12 du/acre)
- RM Residential Medium Density (8-30 du/acre)
- RH Residential High Density (8-100 du/acre)
- MUR Mixed Use Residential (up to 75 du/acre)
- MUL Mixed Use Low Intensity (10-30 du/acre)
- MUM Mixed Use Medium Intensity (14-30 du/acre)
- MUM Mixed Use High Intensity (up to 150 du/acre)
- UMU1 Urban Mixed Use 1 (up to 75 du/acre)
- UMU2 Urban Mixed Use 2 (up to 100 du/acre)
- O Office
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- REC Recreation
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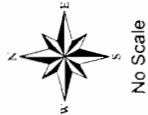
--- Division line between two land use districts
 — City Limits

Area under petition consideration



EXISTING LAND USE

Name	Petition Request	Map(s)	Petition Number
Causseaux & Ellington, Inc for S. Clark Butler Properties Land Trust	Change FLUM from MU-M (Mixed Use Medium Intensity, 12-30 du/acre) to RH (Residential High Density, 8-100 du/acre)	4349	31LUC-06PB





AERIAL PHOTOGRAPH

Name	Parcel Number	Map(s)	Petition Number
Causseaux & Ellington, Inc for S. Clark Butler Properties Land Trust	# 15696-005-000	4349	31LUC-06PB



SITE PLAN EVALUATION SHEET
DEVELOPMENT PLAN & SUBDIVISION REVIEW EVALUATION
CURRENT PLANNING ROOM 16, OLD LIBRARY
222 East University Avenue 334-5023

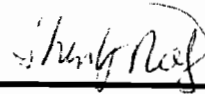
Petition No. 31LUC-06DB Review Date: 6/9/2006

Reviewed on: 4/20/06

Review For: Small scale Comprehensive Plan Amendment to change the land use from Mixed Use Medium to Residential High on approximately 5.5 acres of a 7.6 acre project site to rehabilitate an existing residential tower and build an additional residential tower, with supporting accessory structures, parking, and passive and active common open space areas, partially located within the SW 13th Street Special Area Plan at 2306 SW 13th Street.

Review Type: Land Use Change

Project Planner:



Shenley Neely

• **RECOMMENDATIONS/REQUIREMENTS/COMMENT**

This project consists of an amendment to the Comprehensive Plan to change the land use from Mixed Use Medium to Residential High on approximately 5.1 acres of a 7.13 acre project site proposing to rehabilitate an existing residential tower and to construct an additional residential tower, supporting accessory structures, parking, and passive and active common open space areas located at 2306 SW 13th Street.

1. In the documents provided, staff noticed a land use Conservation Easement is shown, please show intended Conservation Easement on the land use map and provide necessary documents to evidence the implementation and recording of the conservation easement.
2. Allowable uses for the implementing PD Zoning must be consistent with uses, intensities and densities of the Residential High Land Use designation (8-100 units per acre).
3. Part of the property is in the secondary zone of an eagle's nest. Please provide information from the Florida Fish and Wildlife Conservation Commission related to activity status of the eagle's nest. EPD requests full review status for this petition.

**ALACHUA COUNTY
ENVIRONMENTAL PROTECTION DEPARTMENT**

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Date: March 24, 2006

To: Lawrence Calderon,
City of Gainesville Community Development Department
Current Planning Division
306 NE 6th Ave.
Gainesville, FL. 32602

From: Betty Levin, Senior Environmental Specialist

Re: Site Plan Review – March agenda
Please circulate the following comments to appropriate planners.

1. **Petition 31LUC06PB** Causseaux & Ellington, Inc. agent for S. Clark Butler Properties Land Trust. Land Use Change. Present designation: MU-Medium. Requested Designation: RH. Located at 2306 SW 13th Street. (Lawrence/Shenley)

Comments: Wetland delineation should be verified by EPD staff prior to final site plan approval. In addition, part of the property is in the secondary zone of an eagle's nest. Provide information from the Florida Fish and Wildlife Conservation Commission related to activity status of the nest. EPD requests full review status for this petition.

6. **Petition 32PDV-06DB** Causseaux & Ellington, Inc. agent for S. Clark Butler Properties Land Trust. Land Use Change. Present designation: MU-2/BUS. Requested designation: PD. Located at 2306 SW 13th Street. (Lawrence/Shenley)

Comments: Related to Petition 31PDV-06DB.

cc via email: C. Bird, K. Fanning, J. Mousa, M. Drummond

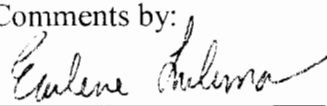
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SITE PLAN EVALUATION SHEET

Urban Forestry Inspector 334-2171 – Sta. 27

Petition: 32PDV-06 PB Review For: Technical Review Committee Agent: Causseaux & Ellington for Clark Butler Properties requested designation located at 2306 SW 13 th Street. (Lakeshore Towers)	Review date: 6/2/06 Review: Land Use Change to PD Planner: Shenley
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APPROVED (as submitted)
 APPROVED (with conditions)
 DISAPPROVED

<input type="checkbox"/> Tree Survey Required <input type="checkbox"/> Landscape Plan Required <input type="checkbox"/> Irrigation system required <input checked="" type="checkbox"/> Attention to conditions (revisions/recommendations)	Comments by:  Earline Luhrman Urban Forestry Inspector
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Please include this note in the report.

- Project will be in compliance with landscaping requirements for street buffers (30-253), and stormwater management areas [30.251 (2) b] and parking lot requirements [30.252 (b) 2 a] & [30.251 (2) a].

No impact on the Urban Forest for rezoning to PD.



LAKESHORE
Small-Scale Comprehensive Plan Amendment
Report

Prepared for submission to:
The City of Gainesville

Prepared on behalf of:
Florida Southeast Development, LLC

Prepared by:

CE	Causeaux & Ellington, Inc.
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	Phone: (352) 331-1976 Fax: (352) 331 2476
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	http://www.cei-civil.com

May 2006

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Executive Summary

Causseaux & Ellington, Inc.

Engineering • Surveying • Planning

To: Lawrence Calderon, City of Gainesville, Project Planner

#06-0049

From: Gerry Dedenbach, AICP, Director of Planning and GIS Services

Date: 5/2/2006

Re: Lakeshore, Small-Scale Comprehensive Plan Amendment (CPA)

<p><u>Jurisdiction:</u> City of Gainesville</p>	<p><u>Intent of Development:</u> Residential Condominiums</p>	
<p><u>Address of Location:</u> 2306 SW 13th Street</p>		
<p><u>Parcel Number:</u> 15696-005-000</p>	<p><u>Acres:</u> ± 5.42 acres (Source: <i>Approximated from GIS Database</i>)</p>	
<p><u>Current Future Land Use Classification:</u> <i>Mixed Use-Medium (12-30 units per acre)</i> Allows for a mixture of residential, office, business and light industrial uses concentrated in mapped areas... Residential development from 12 to 30 units per acre shall be permitted; Intensity will be controlled, in part, by adopting land development regulation that establish height limits of 5 stories or less. <i>Commercial</i> Commercial land use category identifies areas most appropriate for large scale highway-oriented commercial uses, and, when designed sensitively, residential uses. Intensity will be controlled by adopting height limits of 5 stories or less, requiring buildings to face the street, and modest build-to-lines instead of maximum floor area ratio.</p>	<p><u>Proposed Future Land Use Classification:</u> <i>Residential High-Density (8-100 units per acre)</i> The land shown as Residential High-Density on the Future Land Use Map identifies those areas within the City that, due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for high-intensity multi-family development, traditional neighborhood development, and secondary retail and office uses scaled to serve the immediate neighborhood.</p>	
<p><u>Current Zoning Category:</u> <i>Mixed-Use-medium intensity district (MU-2)</i> The mixed-use medium intensity district is established for the purpose of providing a mix of employment, retail, professional, service and residential uses in medium level activity center.</p>	<p><u>Proposed Zoning Category:</u> <i>Planned Development:</i> ... method for landowners or developers to submit unique proposals that are not provided for or allowed in the zoning districts otherwise established by this chapter.</p>	
<p><u>Current Maximum Dwelling Permitted</u> 5.42-acres x 30 dwelling units (du) / acre = 162 du</p>	<p><u>Proposed Maximum Dwelling Permitted by PD</u> 250 dwelling units</p>	
<p><u>Evaluation Summary (F.A.C. 9J-5)</u> Location (Relative to existing urban core) Distribution (Vehicular & Pedestrian) Density (Maximum allowable units) Intensity (Impact of development) Compatibility (To surrounding land use) Suitability (Impacts on concurrency items) Functional Relationship (Relation to area) Land Use Combination (Promotion of mixes)</p>	<p><u>Positives</u> + + + + + + +</p>	<p><u>Negatives</u> -</p>
<p><u>Evaluation Summary Total</u></p>	<p>+6</p>	<p>-1</p>

2. Concurrency Analysis

The following development impacts have been configured for the proposed land use area. However, the total number of units will be limited to 250 through the Planned Development rezoning application submitted concurrently with this application. At the request of the City Staff concurrency items relating to potable water and wastewater have been omitted for this analysis.

Table 1: Projected Trip Generation

Land Use	Units	Daily		AM Peak		PM Peak	
		Rate	Trips	Rate	Trips	Rate	Trips
High-Rise Condominium (ITE 232)	250	4.18	1,045	0.34	85	0.38	95
Trip Reduction for previous uses (Apartment ITE 222)	114	4.20	-479	0.30	-34	0.35	-40
Trip Reduction for previous uses (General Office ITE 710)	9.66 ³	11.01	-106	1.55 ⁴	-15	1.49 ⁴	-14
Trip Reduction for previous uses (Medical-Dental Office ITE 720)	5.13 ³	36.13	-185	2.48	-13	3.72	-19
Redevelopment Credit (10% previous uses)	-	-	-77	-	-6	-	-7
Total			198		17		15

1. Source: Institute of Traffic Engineers. *ITE Trip Generation 7th Edition*.

2. Units = dwelling units base area.

3. Units = 1,000 sq. ft. of building area.

4. The ITE manual does not calculate AM peak hour of adjacent street traffic for General Office ITE 710.

Table 2: Projected Impact on Roadway Segments

Traffic System Category	Segment S-2 SW 13 th Street (US 441) from SR 331 to SR 24 ²
Maximum Service Volume (Level of Service D, 4/D Lanes) ¹	35,700
Existing traffic	21,000 ²
Available capacity	14,700
Reserved trips	None
Projected rezoning trip generation	198 AADT
Residual capacity after proposed development	14.502

1. Numbers given in terms of Average Annual Daily Traffic (AADT) unless otherwise specified. Level of Service defined by 2006 Metropolitan Transportation Planning Organization (MTP0) Table 1: Highway Level of service Data for State Roads within the Gainesville Metropolitan Area Boundary.

2. Segment S-2 of the MTP0 Illustration 11 – S.

3. Consistency with Florida Statutes Chapter 163 and Florida Administrative Code Rule 9J-5

Florida Statutes (F.S.) Chapter 163 Part II establishes the framework for growth management and local government planning in the State of Florida. This area of the Statutes contains requirements for Comprehensive Plan Amendments to be found in compliance with local planning initiatives and promote fiscally sound development of the planning area. Furthermore, Florida Administrative Code (F.A.C) Chapter 9J-5 implements F.S. Chapter 163 by mandating specific measures and levels of evaluation for local comprehensive plans, land development regulations, and amendments to such documents. Chief among these requirements is that all amendments follow the guidelines established for concurrency of public facilities, specifically through the Future Land Use, Transportation, Sanitary Sewer, Potable Water, Solid Waste, Stormwater Management, and ground water recharge elements.

URBAN INFILL AND REDEVELOPMENT

The proposed site lies within the City of Gainesville in the existing Southern Gateway to the urbanized area. The project site is currently developed land. The proposed project will help in efforts to revitalize the SW 13th Street Corridor by providing additional ownership based residential population, which will facilitate additional growth and economic benefit to the neighborhood and City as a whole. Furthermore, the use of this land, which is in an urbanized area, will promote efficient and fiscally sound infill development.

CONCURRENCY MANAGEMENT SYSTEM

The City of Gainesville has adopted level of service standards for roads, potable water, sanitary sewer, solid waste, recreation, and drainage to be consistent with the FAC 9J-5.005. Furthermore, Section 2: Concurrency Analysis, has provided a current analysis that demonstrates the level of service standards will not be significantly impacted by the proposed development.

FUTURE LAND USE ELEMENT

The amendment proposes changing the Future Land Use designation of Mixed-Use Medium to Residential High. This change in land use would allow for higher density residential development consistent with the Future Land Use Designations to north and south of the project site. This increase in residential density will utilize existing residential structures on the site while removing the former office that currently exists within on the site. The site lies within an urbanized area and will not require extension of public facilities for service. The project will utilize existing public service for potable water and sanitary sewer. As defined in FAC 9J-5.006, evaluation of these factors will promote systematic and cost effective growth and redevelopment, thereby fighting the elements of urban sprawl.

TRANSPORTATION ELEMENT

Section 2: Concurrency Analysis has provided a current analysis which demonstrates the level of service standards for transportation will not be significantly impacted from the proposed development. The site lies within Transportation Concurrency Exception Area (TCEA) Zone A, Regional Transit System (RTS) Route 13, and along a designated bicycle lane lined corridor. Thus, higher density residential at this location allows for multi-modal access by residents. Furthermore, Florida Statutes Chapter 163.3187(1) (c) l.f. defines this project as a Small-Scale Comprehensive Plan Amendment due to its location within the TCEA.

Coordination with the State of Florida Department of Transportation and the City of Gainesville will ensure safe, appropriate access locations where such authority applies and designed in conformance with Florida Administrative Code, Chapters 14-96 and 14-97. Sidewalks may be reconstructed along the length of all roadways bordering/adjacent to site during appropriate phases of construction. This will help to further connect the development into the surrounding existing neighborhood and to create the building blocks of a truly multi-modal community.

SANITARY SEWER, SOLID WASTE, STORMWATER MANAGEMENT, POTABLE WATER AND NATURAL GROUNDWATER AQUIFER RECHARGE ELEMENT

The proposed amendment is located within the Gainesville Regional Utilities service area. Development resulting from the amendment will connect to the existing publicly available utility infrastructure. Efficient design of infrastructure will not decrease the existing facilities service capabilities. Design techniques may include such elements looped potable water lines and pressurization devices for controlled volume, pressure and fire suppression..

Onsite areas may be used for stormwater management facilities (SMFs) and will be designed as usable open spaces for active and passive recreation. SMFs will provide adequate stormwater treatment so as not to degrade the water quality of the ultimate receiving water body. Furthermore, post-development stormwater runoff will not contribute pollutants which will degrade the water quality and stormwater treatment will provide a level of treatment which meets or exceeds Chapter 62-25 F.A.C and the City of Gainesville's adopted level of service standards.

4. Statement of Proposed Change

The proposed Lakeshore Future Land Use map amendment consists of a portion of the parcel located west of the SW 13th Street Special Area Plan (SAP). Currently, there is one residential structure on the project site. The proposed land use change is the first step in redeveloping and redesigning the site from an apartment complex to a residential condominium complex with two habitable structures and accessory recreational facilities and support structures. The proposed facilities will increase the residential home ownership population along the corridor, thereby promoting the City of Gainesville’s long-term revitalization goals for the area.

The overall site currently has a Future Land Use classification of Mixed-use Medium and Commercial. The proposed change will allow for higher density residential on the site by placing an additional multistory residential building. Therefore, Lakeshore proposes a Small-scale Comprehensive Plan Amendment (CPA) to unify the Future Land Use designation along the corridor by changing the Future Land Use from Mixed-use Medium and Commercial to Residential High – Density. The proposed change will provide for greater consistency and compatibility with the surrounding Future Land Use Designations and bring the existing Lakeshore Tower, once rehabilitated in conformance with the City of Gainesville Comprehensive Plan.

Lakeshore intends to convert and rehabilitate the existing Lakeshore Towers building for use as a residential structure, containing condominiums and accessory structures for active recreation. There will be a total of two residential structures, associated accessory structure, and a pool and recreational court type facilities. Additionally, Lakeshore intends to support the SW 13th Street redevelopment through the construction of additional residential buildings on the site and bring additional ownership residents to a commercial corridor needing higher density residential development for the promoting of redevelopment efforts.

Table 3: Surrounding Future Land Use and Zoning Designations

<u>Direction</u>	<u>Future Land Use Designation</u>	<u>Zoning Designation</u>
North	Residential High Density	Residential High Density (RH-1)
East	Commercial	Business, General (BUS)
South	Residential High Density	Residential High Density (RH-1)
West	Education	Education

The parcels surrounding the project have a Future Land Use designation of Residential High Density, Commercial or Education. Additionally, all parcels immediately to the north and south of the site carry a Zoning category of Residential High – 1 (RH-1). Table illustrates the Future Land Use and Zoning designations surrounding the entire project site. Please refer to Illustration 2A – Existing Future Land Use Map and Illustration 3 – Existing Zoning Map.

5. Consistency with the Comprehensive Plan

Future Land Use Element

The Comprehensive Plan Future Land Use Element Policy 2.1.4 and associated Map have designated a portion of the project site area as part of the SW 13th Street Special Area Plan. Further, Comprehensive Plan Future Land Use Element *Policy 2.1.1* states that redevelopment plans should include recommendations regarding land use changes. The proposed Future Land Use change from Mixed-use Medium and Commercial to Residential High Density will unify the land use along the SW 13th Street corridor. The proposed change is compatible with the residential land uses existing around the site, providing further consistency with the Future Land Use Map. In addition, utilizing structures with small overall footprints on this site will allow for the protection and enjoyment of passive and active open space. This will be accomplished through the use of a specific site design as part of the Planned Development (PD) rezoning process and will delineate uses for each part of the site. Please see Illustration 2A: Existing Future Land Use Map and Illustration 2B: Proposed Future Land Use Map.

Traffic Mobility Element

This site is located on US 441 / SW 13th Street. This is within the Transportation Concurrency Exception Area, Zone A. While it is not required that development within this area meet roadway concurrency requirements, the proposed change will not generate enough trips to reduce the level of service on SW 13th Street. Table 2 illustrates the impact that the development will have on SW 13th Street. As can be seen, SW 13th Street would still have significant capacity available to serve the City of Gainesville and further redevelopment efforts.

The proposed project will use both existing and newly constructed parking lots and garages to support the proposed facilities. These lots will have direct access to SW 13th Street via a driveway connection that meets Florida Department of Transportation and City of Gainesville design criteria.

Additionally, the level of service standards defined within the City of Gainesville Comprehensive Plan Traffic Mobility Element will be met. Adequate space will be provided for the facilities using a mix of pervious and impervious improvements. Because the residents will have access to four different modes of transportation, the proposed land use is appropriate at this location.

As Figure 1 illustrates, the project site is located along RTS Route #13. This route will transport residents of the facility directly to the University of Florida (UF). From there, riders can connect to various parts of Gainesville and those parts of Alachua County currently served by the RTS system. Further, SW 13th Street has existing sidewalks which will allow residents to walk to commercial facilities existing along the Corridor. Development of the site may include the construction and dedication of an RTS-approved rider shelter. This will further aid in the establishment of multi-modal habits for new and returning residents to the area.

Sidewalks to match the existing pedestrian facilities along SW 13th Street may be reinstated if the condition is such as to warrant repair. New sidewalks will run the length of the properties along SW 13th Street and meet the requirements set forth in the SW 13th Street SAP as defined within the City of Gainesville Land Development Code.

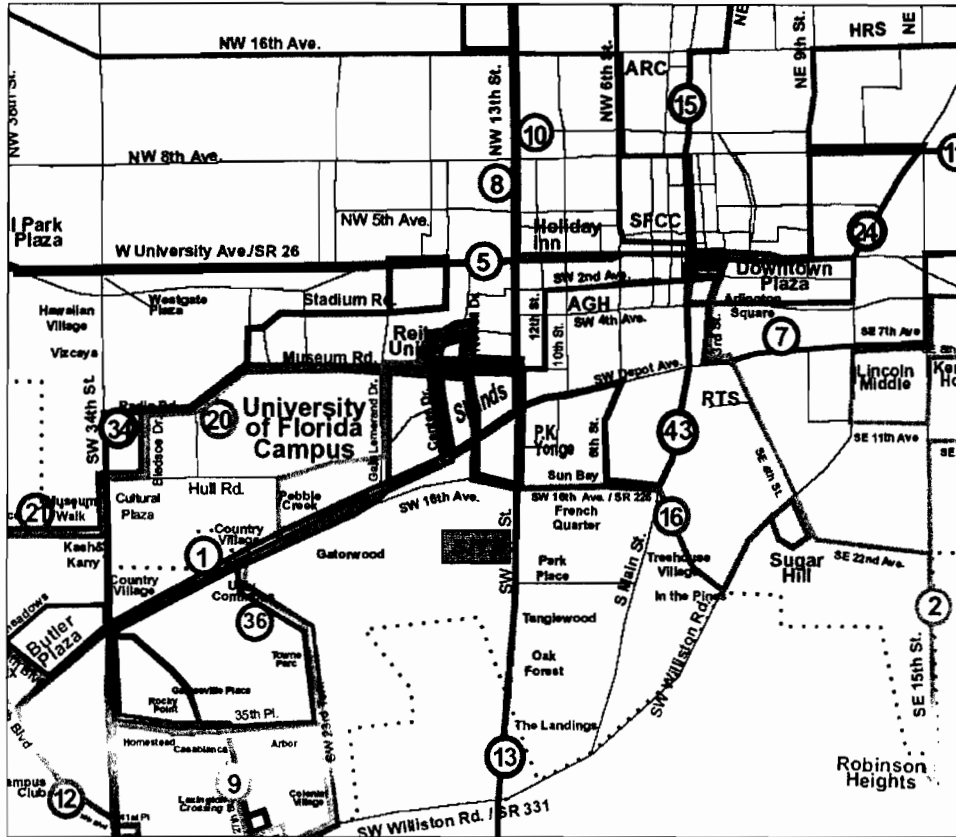


Figure 1. Regional Transit System (RTS) Routes Proximate to Project Site
 Source: <http://www.go-rts.com/>

Housing Element

Lakeshore is intending to build additional residential facilities to be used by residents whom desire to live proximate to the University of Florida, downtown Gainesville, urban amenities, and the urban lifestyle. Providing this type of residences enhances sustainable development pattern within the SW 13th Street Corridor and in the City of Gainesville. Furthermore, the variety in housing stock internal to the development and within the City of Gainesville promotes the intent of providing for a variety of housing for persons with varied backgrounds and economic capabilities. Therefore, the proposed change will support the overall goal of the Housing Element of the Comprehensive Plan.

Conservation, Open Space and Groundwater Recharge Element (COSGR)

The National Wetlands Inventory and FEMA Floodplain data indicates the presence of wetlands on the site. Furthermore, the wetland edge has been delineated in by a survey performed in December, 2005. Therefore, an average 50-foot buffer area will be maintained, inside of which

no development can occur, as required by Policy 1.1.1.7 of the COSGR Element. Degradation or loss of function for these possible wetlands will be minimized during site design. It is the aim of the Lakeshore project to protect these wetlands and use them as an amenity of the facility. If, during the development review process, this wetland delineation is found to be incorrect, adjustment of the line and the buffer maybe made to protect the wetlands as appropriate.

At least 20% of the project site will be considered common open space. This area will include wetland areas, buffers, stormwater management facilities (SMFs), and other active and passive common open space areas. These areas may contain pervious surfaces allowing precipitation to percolate through the ground, thereby minimizing the amount of run-off from the site. The SMFs will be designed to hold stormwater as required by governing regulating agencies, and prior to from entering surface waters.

Potable Water/Wastewater Management Element

The existing facilities are connected to potable water and sanitary sewer service provided by Gainesville Regional Utilities (GRU). The Future Land Use designation of Residential High Density will be more specifically designed through a Planned Development zoning. The PD will demonstrate detailed changes being made to the property. Any new building that will be constructed on the site will also be connected to potable water and sanitary sewer. If, during improvement of the site, it is determined that upgrades to the existing onsite potable water and wastewater facilities are necessary, the development will make improvements as necessary.

Stormwater Management Element (SMF)

If site design is modified, then a comprehensive assessment of the SMFs will be performed during development review to determine if expansion of SMFs is necessary. If additional stormwater management is needed, the site design will locate SMFs in concert with existing topographical grades to ensure that the peak rate of post-development runoff does not exceed the pre-development runoff rate. If change is proposed, the development's design will take the 100-year critical duration rainfall depth into consideration.

Where applicable, best management practices such as landscape berms, retention walls, and/or detention basins will be constructed to mitigate the potential impacts of 100-year critical duration rainfall depth. Any proposed SMFs within the development will be strategically located and constructed in the form meeting best management practices, designed to percolate 80 percent of the runoff from a three year, one-hour design storm, within 72 hours after the storm event.

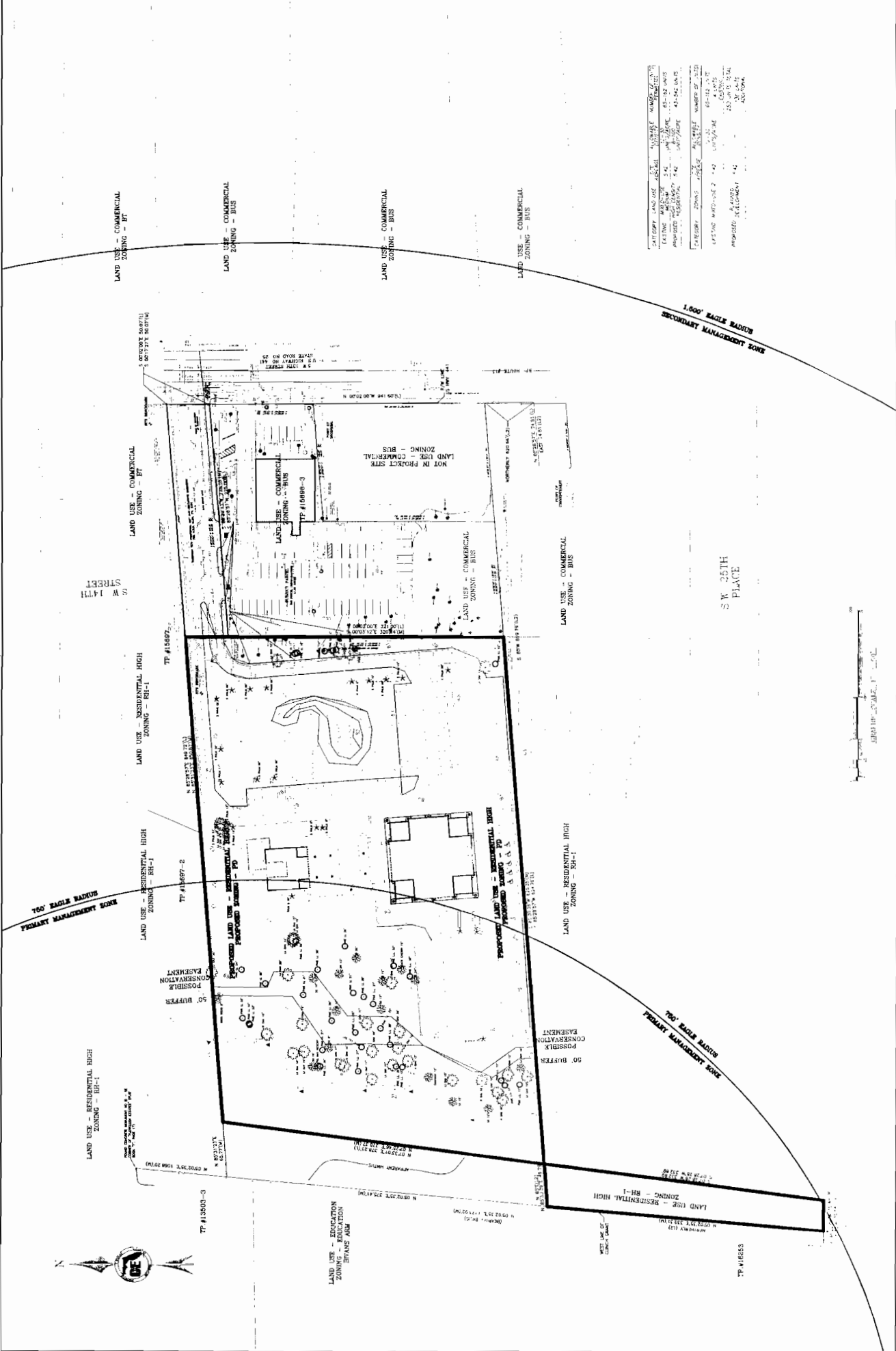
Furthermore, as required by the St. John's River Water Management District, there will be no direct discharge of stormwater into delineated wetlands. This will be achieved through efficient and correct engineering of the SMFs to contain site runoff. These SMFs will be designed to allow stormwater to percolate into the soil, rather than run directly into wetland areas.

6. Summary Items

The following list provides an itemize summary of the major items discussed above:

- 1) Current Mixed-use Medium Future Land Use designation allows for a density of up to 30 dwelling units per acre and a height limitation of 5 stories. The existing structure, being over 5 stories, is currently a grandfathered use.
- 2) The proposed Residential High Future Land Use designation allows for up to 100 dwelling units per acre with height limitations to be defined by a rezoning application. This Future Land Use change will bring the existing structure into conformance with the Comprehensive Plan.
- 3) The project site is located within a Transportation Concurrency Exception Area (TCEA). Florida Statutes Chapter 163.3187(1) (c) 1.f. defines the proposed change as a Small-Scale Comprehensive Plan Amendment.
- 4) The proposed change is consistent and compatible with the Future Land Use designations found to the north and to the south of the project site. The desired change unifies the Future Land Use Designation along the western side of the corridor.
- 5) The Planned Development Application will provide an appropriate buffer along the western boundary deeming the proposed change compatible with the Education Future Land Use Designation along the western boundary.
- 6) The proposed change is compatible with the Commercial Land Use Designation along the eastern boundary which currently allows for residential and commercial development. Furthermore, the Residential High Density allows for secondary commercial uses. This mix seamlessly blends the land uses permitted along the SW 13th Street Corridor
- 7) Preliminary analysis has indicated that concurrency is available along SW 13th Street to receive the intended development. Furthermore, the project site is located within Transportation Concurrency Exception Area Zone A.
- 8) The wetland area, delineated December, 2005, will have a 50-foot average buffer placed in a conservation management area defined within the Planned Development Application. Wetland delineation will be verified by the Alachua County Environment Protection Department (EPD).
- 9) Stormwater Management Facilities will be designed to percolate 80 percent of the runoff from a three year, one-hour design storm, within 72 hours after the storm event.

CATEGORY	LAND USE	AREA (SQ. FT.)	PERCENTAGE	NUMBER OF UNITS
EXISTING	RESIDENTIAL HIGH	1,440,000	100%	65-142 UNITS
PROPOSED	RESIDENTIAL HIGH	1,440,000	100%	65-142 UNITS
TOTAL		2,880,000		130-284 UNITS



3. **Petition 66TCH-06PB** Causseaux & Ellington. Amend the Southwest 13th Street Special Area Plan to allow exceptions to the regulations for Planned Developments.
4. **Petition 31LUC-06 PB** Causseaux & Ellington, Inc., agent for S. Clark Butler Properties Land Trust. Amend the City of Gainesville 2000-2010 Future Land Use Map from MUM (Mixed Use Medium Intensity, 12 to 30 units per acre) to RH (Residential High Density, 8-100 units per acre). Located at 2306 SW 13th Street. Related to Petition 32PDV-06 PB.
5. **Petition 32PDV-06 PB** Causseaux & Ellington, Inc., agent for S. Clark Butler Properties Land Trust. Rezone property from MU-2 (12-30 units/acre mixed use medium intensity) and BUS (General business district) to PD (Planned development - up to 35 units per acre) to rehabilitate an existing building and allow an additional 14-story residential building. Located at 2306 SW 13th Street. Related to 31LUC-06 PB.

Ms. Shenley Neely, Senior Planner, was recognized. She stated she would address all three petitions simultaneously and there could be three individual motions.

Ms. Neely stated these petitions were in regard to the Lakeshore Tower project. She stated the project would involve a land use change, a rezoning and a text amendment to the Southwest 13th Street Special Area Plan. She pointed out the location of the project and stated it was three separate parcels. She stated the project would renovate an existing 11-story residential tower and construct an additional 14-story residential tower and associated infrastructure. She pointed out the 5.1-acre portion of the project site proposed for the land use change. She explained the surrounding land uses and zoning in the area. She showed the area of the Southwest 13th Street Special Area Plan. She stated the Planned Development would be applied to all three parcels, 7.1 acres. She stated that staff has recommended approval of all three petitions.

Mr. Jerry Dedenbach, of Causseaux & Ellington, was recognized. He explained the requests of the three petitions. He stated that the project was situated in Zone 2 of the Southwest 13th Street Special Area Plan with a building setback of 20 feet to bring the building up to the 13th Street corridor to allow for sidewalks near the right-of-way. He stated that there were 31 conditions and they agreed to 29. He stated he wished to clarify 3 of the conditions. He showed the configuration of the existing development and the proposed development. He showed the overall PD Master Plan. He showed the traffic circulation as it is today. He showed an area along SW 13th Street that would be retained for commercial buildings.

Mr. Dedenbach referred to Condition 7 of the staff report. He showed the layout of the existing drive and stated the drive is 5 feet from the property line and there is fencing there. He stated there was not an intention to remove the fencing and although they agree with buffering, they did not intend to remove the existing driveways and parking because that would render the site unusable and there are utilities that are there.

On the south side, he pointed out the handicapped spaces close to the tower that exists 5 feet from the property line. He stated if that becomes a 15-foot buffer, the parking would be lost and the project could not go on. He requested that Condition 7 be revised to state that the "existing vehicular use areas adjacent to the residential area to the north and south may remain . . ."

Regarding Condition 20, Mr. Dedenbach stated the east property line is 13th Street, which involves the issue of the Special Area Plan. He stated the 13th Street Special Area Plan has a 20-foot setback in the Zone 2 area. He explained that there was a special request that the only way the development could deviate from having a building in the area was that it be codified that it could be done only through a Planned Development and only through the permission of the City Manager. He stated there is a desire to place an architectural wall in that area. The condition would be revised to say “Vehicular use areas . . . or parking of vehicles with the exception of bicycles shall occur within 20 feet of the east property line and shall contain at least a three-foot high screening wall consistent with the 13th Street Special Area Plan.” He showed a representation of how the entrance to the development would be placed with an architectural wall along the entrance. He stated parking would be behind the wall and there could be a coffee house. He stated it was necessary to have the parking behind the wall rather than 80 feet back from 13th Street.

He stated the last concern was in Condition 15 that states “. . . a three foot architecturally compatible wall” He stated the plan is to have a masonry wall with fountain features and a logo. He explained that the request was to place the sentence, “The criteria and design shall be determined during development review.” at the end of the Condition so there would be more flexibility in the type of wall that would be used.

Mr. Lawrence Calderon, Chief of Current Planning, was recognized. He stated the conditions are meant to write regulations, because there are no regulations for a Planned Development and the regulations are intended to guide the Board in the development review process.

Mr. Calderon stated that regarding the 15-foot setback in Condition 7, the development had the potential for the pavement to be removed and new paving placed in. He stated with the amount of vehicular movement that will occur on the site, staff requested a 15-foot landscape buffer primarily when new paving occurs. Mr. Calderon stated that once the new entrance and parking is placed as proposed, the applicant should be able to get the 15 feet without unduly burdening the project. He stated this was a very nice project that will have a catalytic effect in the area and will stimulate additional development, however, the Special Area Plan was designed to maintain a certain intent and quality in the area, and staff does not think the buffer would hurt the development and staff would like the 15 feet to remain.

Mr. Calderon stated that regarding Condition 20, staff would agree to modify the condition to allow the development the flexibility they request. He suggested that the condition be revised to read “Vehicular use areas, and those areas for vehicular storage . . . shall have no more than a double row of parking within 80 feet of the east property line.” He stated there would not be two coffee shops as suggested in the drawing, but there could be some other restaurant or nothing. He stated staff does not want that area to become a storage area.

Mr. Calderon stated that staff had no objection to the requested change in Condition 15. He stated the recommendation was for approval with all the conditions and modifications.

Ms. McDonell asked where the Eagles nest mentioned in the packet was located. Mr. Calderon stated that the issue of the Eagles nest had been resolved satisfactorily. Mr. Dedenbach pointed out the location on the north side of Bivens Arm toward the back of the Veterinarian School, which is a safe distance away.

Ms. McDonell asked if the changes to Condition 20 would force the parking to be placed on the west side, or was there reason for additional parking or paved surfaces added to the west side of the development.

Mr. Dedenbach further explained the parking configuration of the development, and stated that they do not wish to pave any more than necessary. He stated there was a one space per bedroom limit, which was thought to be sufficient. He further addressed the parking and stated they would like additional parking in the future. He stated the parking would be behind the wall, but until more commercial businesses were there, they did not want to be blocked from the double-parking.

Mr. Calderon pointed out what would be considered a double row of parking within 80 feet. He stated staff would agree to that configuration.

Mr. Dedenbach stated the development needs to be completed (residents moved in) before more commercial businesses come to Southwest 13th Street. He stated that a 5,000 square foot building may locate in that area of the development, behind the wall, but until that development occurs, it could be used for parking.

Mr. Cohen asked Mr. Calderon what language should be used in Condition 15. Mr. Calderon suggested that "At a minimum" could be removed and place "The criteria and design shall be determined during development review" at the end of the paragraph. Mr. Calderon stated, the sentence should state, "A three-foot architecturally compatible wall" and remove "with metal picket-type fencing and landscaping."

Mr. Cohen stated he would like the bus stop to be enhanced. Mr. Dedenbach stated that the condition could state that the bus stop should be "compatible and complementary to the architectural style of the development and wall."

Mr. Calderon noted that the language of Condition 14 is to leave the final say to the RTS agency. Mr. Cohen agreed that the final determination about the bus stop would be for RTS, he was just concerned about the design.

Mr. Tecler asked the reason for Condition 7.

Mr. Dedenbach stated he wanted to clarify that they did not want to tear up existing pavement. Mr. Calderon stated the condition referred to new paving.

Mr. Calderon stated the condition should have had the word "new," which had been discussed. He said that in the event that paving is removed adjacent to residential, staff would like the respect to be given to the residential development.

Mr. Cohen stated that staff had suggested no more than two rows.

Mr. Dedenbach he liked the spirit of compromise. There was discussion about the double row of parking.

Mr. Calderon stated the intent was to prevent all of the parking and storage from being in front of the building line. He stated staff agreed to the presented layout.

Mr. Mimms clarified that the drawing was showing two double rows of parking. He stated that a building could be put on one and the other available for the double row of parking.

Mr. Dedenbach explained the wall would hide the parking.

Mr. Calderon explained the intent of staff when they said a double row of parking. He stated the objective was to try to have the parking and storage out of the 80-foot build-to line.

Mr. Mimms asked whether, in Conditions 7 and 5, the word "should" ought to be "shall." Mr. Calderon agreed.

Mr. Tecler stated the plan shows that the developer is following the intention of the Special Area Plan. He stated the Plan Board should make a proposal that maximizes the flexibility with the parking situation.

Chair Reiskind asked whether anyone from the public wished to speak. There were no questions from the public.

Chair Reiskind asked why one tower would be three stories higher than the existing building.

Mr. Dedenbach stated that originally it was thought the 11-story tower could be built up, and the 14-story tower was planned. It was found that they could not build more stories on the 11-story building and since they already had planned the 14-story, decided to stick with it.

Chair Reiskind asked about concurrency on the site. Mr. Dedenbach addressed the question.

Chair Reiskind asked if there are other parties that review the detailed plans.

Mr. Mimms replied affirmatively and stated the Board could request that the plan go to the Plan Board, otherwise it will go to the Development Review Board.

Ms. McDonell asked how closely the design criteria of the SAP would have to be followed.

Mr. Calderon stated that is outlined in the text amendment report and the Planned Development would follow the intent of the Special Area Plan.

Chair Reiskind stated that was covered under Condition 18.

Mr. Clark Butler was recognized. He stated this was an expensive project that would serve the upper end and was not for student housing. He explained the project was being designed to work with the University to bring the kind of staff they want that will meet their demands. He stated the old building will be completely rebuilt and the new building will be modern.

Mr. Tecler stated the Board had not addressed providing the developer the flexibility in the front-parking situation.

Mr. Calderon stated the development is being crafted and there may be a variation in the amount of parking that occurs at the front. He stated that staff would determine the amount of parking spaces at development plan review, and the issue would be the appearance and storage in that area, and that it meets the intent of the SAP.

Mr. Dedenbach stated that Mr. Calderon suggested that the 80 feet in Condition 20 could be cut to 40 feet.

<u>Motion By:</u> Mr. Tecler	<u>Seconded By:</u> Ms. McDonell.
<u>Moved to:</u> Approve Petition 66TCH-06 PB	<u>Upon Vote:</u> Motion Carried 4 – 0 Aye: Cohen, Reiskind, Tecler, McDonell

<u>Motion By:</u> Mr. Tecler	<u>Seconded By:</u> Ms. McDonell.
<u>Moved to:</u> Approve Petition 31LUC-06	<u>Upon Vote:</u> Motion Carried 4 – 0 Aye: Cohen, Reiskind, Tecler, McDonell

<u>Motion By:</u> Mr. Tecler	<u>Seconded By:</u> Ms. McDonell.
<u>Moved to:</u> Approve Petition 32PDV-06 PB, with staff conditions as modified.	<u>Upon Vote:</u> Motion Carried 4 – 0 Aye: Cohen, Reiskind, Tecler, McDonell