

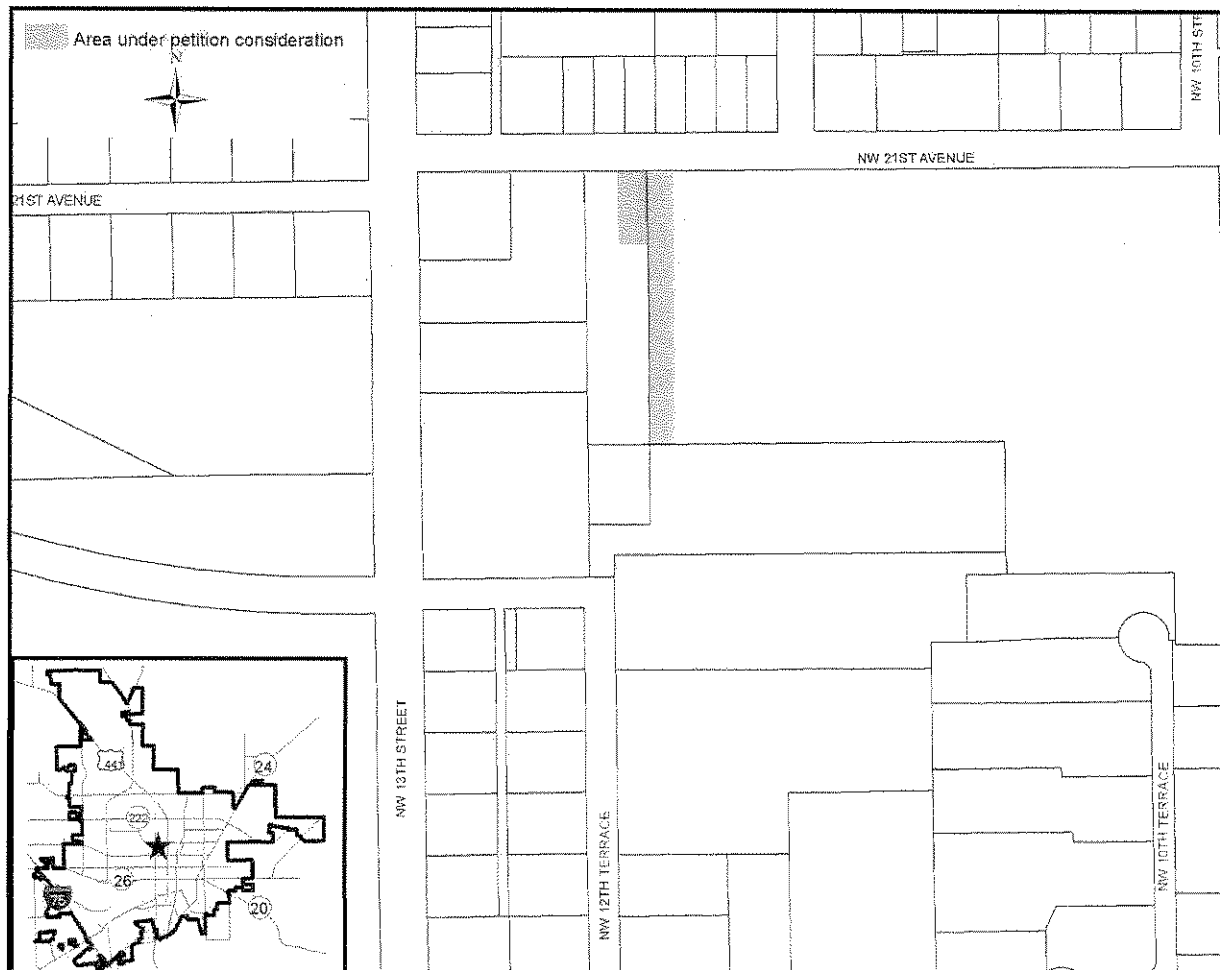
**TO:** City Plan Board **Item Number:** 6

**FROM:** Planning & Development Services Department **DATE:** January 24, 2013  
 Staff

**SUBJECT:** Petition PB-12-160 ZON. Brown & Cullen Inc., agent for Hidden Lake SFR LLC. Rezone property from Conservation (CON) to Mixed-use low intensity district (MU-1), and RMF-6 (8-15 units/acre multiple-family residential district). Located at 1015 NW 21<sup>st</sup> Avenue. Related to PB-12-159 LUC.

### Recommendation

Staff recommends approval of Petition PB-12-160 ZON.



## Description

This is a request for a zoning change from Conservation (CON) to RMF-6 (8-15 units/acre multiple-family residential district) and to MU-1 (8-30 units/acre mixed use low intensity district). The vacant, 0.46 acres proposed for rezoning include: a 0.31-acre property that is the western edge of the otherwise developed, 20.24-acre, 260-unit, Hidden Lake apartment complex; and, a 0.15-acre property to its west along NW 21st Avenue. It is on the south side of NW 21st Avenue approximately 375 feet east of NW 13th Street. This petition proposes changing the 0.31-acre property to RMF-6 and changing the 0.15-acre property to MU-1. The area under consideration by this petition is shown on the map on the previous page and in Exhibits B-1, B-2 and B-3.

The 0.31-acre property is a narrow, vegetated strip of vacant land that provides stormwater retention on the east side of the NW 21st Avenue entrance to the Hidden Lake apartment complex. The adjacent 0.15-acre property to the west is partially paved and is mostly vegetated. The City once used Conservation land use and zoning to provide a buffer between potentially conflicting uses, but now has various land development regulations to address potential impacts due to different abutting uses.

The Hidden Lake apartment complex (east of the 0.31-acre property with Conservation zoning) has RMF-6 (8-15 units/acre multiple-family residential district). MU-1 (8-30 units/acre mixed use low intensity) zoning is to the west and to the north across NW 21st Avenue. Office zoning is also on the north side of NW 21st Avenue. See Exhibits B-2 and B-3 for maps of existing and proposed zoning. See Exhibit C-1 (Hidden Lake SFR LC Zoning Application (Brown & Cullen, Inc.)), which includes maps and other information provided by the petitioner's agent.

This zoning petition is related to Petition PB-12-159 LUC, which proposes a small-scale amendment of the Future Land Use Map from Conservation to Residential Medium-Density (8-30 units per acre).

## Key Issues

- The proposed rezoning to RMF-6 (8-15 units/acre multiple-family residential district) is consistent with the City's Comprehensive Plan and the proposed Residential Medium-Density (8-30 units per acre) land use category.
- The proposed MU-1 (8-30 units/acre mixed use low intensity) zoning district is consistent with the City's Comprehensive Plan and with the existing Mixed-Use Low-Intensity (8-30 units per acre) designation on the Future Land Use Map.
- The proposed RMF-6 and MU-1 zoning designations are supportive of infill development within a corridor that is in need of infill development and redevelopment.

## Basis for Recommendation

The staff recommendation is based on the five following factors, which are discussed below: Conformance with the Comprehensive Plan; Conformance with the Land Development Code; Changed Conditions; Compatibility; and Impacts on Affordable Housing.

## **1. Conformance with the Comprehensive Plan**

The proposed rezoning will facilitate future infill development of the property by establishing RMF-6 (8-15 units/acre multiple-family residential district) and MU-1 (8-30 units/acre mixed use low intensity) zoning in place of Conservation, and is consistent with the Comprehensive Plan.

The proposed rezoning to RMF-6 (and the related, proposed RM land use) and MU-1, if approved, will allow for infill development, which is not possible with the existing Conservation designation on this narrow 0.31-acre strip of vegetated open space that is used for stormwater retention by the Hidden Lake apartment complex, and on the adjacent, vacant, 0.15-acre area west of the northern tip of the 0.31-acre strip. As stated in Section 1.1 of Attachment 3 of the application (Exhibit C-1), this property “is not a natural area as it has been disturbed by development in the preceding decade. Additionally, it may once have served as a buffer, but it is no longer relevant as the high intensity of the Hidden Lake complex does not require a buffer between [it and] the mixed use property along NW 13th Street which is proposed for development as a future phase.” The Conservation strip was put in place to provide a buffer between the automotive use to the west and residential use to the east. As explained in the Description, the City previously used Conservation zoning as a buffer between potentially conflicting uses, but now has various land development regulations to address potential impacts between different adjacent uses.

The proposed rezoning to RMF-6 and MU-1 is consistent with the infill and redevelopment goals of the Future Land Use Element (Goal 2, Objective 2.1, and Policy 2.1.1). These policies include, but are not limited to, promoting a healthy economy and discouraging urban sprawl. See Exhibit A-1 for these and other relevant Gainesville Comprehensive Plan policies, including policies that discourage urban sprawl (FLUE Objective 1.5 and Policy 1.5.9) and encourage transportation choice (Transportation Mobility Element Objective 1.2 and Policy 1.2.1).

The requested RMF-6 zoning for the 0.31-acre is wholly consistent with the RM (Residential Medium-Density (8-30 units per acre)) land use category proposed by related Petition PB-12-159 LUC. Likewise, the requested MU-1 zoning for the contiguous 0.15-acre property is consistent with the underlying MUL (Mixed-Use Low-Intensity (8-30 units per acre)) land use.

## **2. Conformance with the Land Development Code**

This proposed rezoning to RMF-6 will implement the related, proposed comprehensive plan amendment to the Residential Medium-Density (8-30 units per acre) on the 0.31-acre western edge of the Hidden Lake parcel. Both the RMF-6 and the MU-1 (0.15-acre on the 0.15-acre property) rezoned properties will be subject to all applicable regulations of the Land Development Code, including Division 4 - Regulated Natural and Archaeological Resources.

## **3. Changed Conditions**

The 0.31-acre portion of the combined 0.46-acre land area is subject to a related, proposed small-scale land use amendment for the (PB-12-159 LUC). This zoning petition is proposed

concurrently with land use and zoning petitions (PB-12-161 LUC and PB-12-162 ZON) that propose a change of land use from Commercial to MUL, and from BA to MU-1 on an adjacent, 0.71-acre property along NW 13<sup>th</sup> Street.

#### **4. Compatibility**

The proposed RMF-6 and MU-1 zoning designations are compatible with the adjacent properties and surrounding area. See Table 1 on Page 6 of this document for a tabular summary of adjacent uses and adjacent land use and zoning categories. See Exhibit B-1 for an aerial photograph that shows the outlined properties, the adjacent Hidden Lake apartment complex to the east, Lake Meta to the southeast and developed properties to the west along NW 13<sup>th</sup> Street, and to the north along NW 21<sup>st</sup> Avenue. As noted in the Description section of this report, Exhibits B-2 and B-3 show existing and proposed land use.

#### **5. Impacts on Affordable Housing**

The proposed RMF-6 zoning allows a maximum of 15 units per acre of residential density on the 0.31-acre property. The proposed MU-1 zoning allows a maximum of 30 units per acre on the adjacent 0.15-acre property. Although it would be difficult to develop residential units on this 0.46-acre site, the proposed rezonings to RMF-6 and MU-1 will increase the potential for additional residential development on the Hidden Lake property to the east and for residential or mixed-use development on the adjacent property to the west. If approved, the rezoned land therefore has the potential for a minimal positive impact on the supply of potential affordable housing in Gainesville.

#### **Transportation**

There are no major transportation issues associated with this zoning petition, which is located within Zone B of the City's Transportation Concurrency Exception Area (TCEA). The properties front NW 21<sup>st</sup> Avenue (a primarily residential, local street) and currently lack access to NW 13<sup>th</sup> Street.

This petition and its related land use petition (PB-12-159 LUC) are related to land use (PB-12-161 LUC) and zoning (PB-12-162 ZON) petitions that pertain to a nearby vacant property fronting NW 13<sup>th</sup> Street. The applications for all four petitions (Section 2.2.1, Impact on Residential Streets) indicate that the next phase of the Hidden Lake apartment complex will entail access to NW 13<sup>th</sup> Street through the property that fronts NW 13<sup>th</sup> Street, which could potentially reduce traffic impacts from Hidden Lake on NW 21<sup>st</sup> Avenue. The Hidden Lake apartments currently have no access to NW 13<sup>th</sup> Street, and are accessed from NW 21<sup>st</sup> Avenue.

The properties are served by RTS Routes 6, 8 and 29 along NW 13<sup>th</sup> Street to the west, and by Routes 6 and 15 along NW 23<sup>rd</sup> Avenue to the north. At the time of development plan review, the affected properties will be subject to the Zone B requirements of Policies 1.1.4 and 1.1.6 of the Concurrency Management Element.

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### Environmental Impacts and Constraints

A memorandum dated January 8, 2013 (Exhibit B-4) from the City's Environmental Coordinator identified no environmental issues pertaining to this property. In that memorandum, Mr. John Hendrix stated that "approximately 200 feet southeast offsite from the most proximal location of the subject property, a small lake/surface water (Lake Meta) is present on the southern edge of the Hidden Lake apartments. This pond and its associated wetland fringe are regulated surface waters/wetlands pursuant to LCD 30-300. Based on the information provided in the application and due to the separation distance involved, none of the proposed land use and rezoning changes associated with the petition would be expected to result in development that would encroach into the regulated surface water/wetland or its associated upland buffer. Any application for development approval on the subject properties that would be proposed subsequent to the proposed land use and zoning change would be reviewed for compliance with 30-300 at that time." In conclusion, Mr. Hendrix stated that "no other issues relating to regulated surface waters/wetlands or natural and archaeological resources are known to exist which might present a constraint or otherwise adversely affect the proposed land use and rezoning proposals."

The property is in FEMA Flood Zone X, outside of the 100-500 year floodplain.

Respectfully submitted,



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**Table 1**

**Adjacent Existing Uses**

<b>North</b>	NW 21 <sup>st</sup> Avenue (detached residential units on north side)
<b>South</b>	Vacant
<b>East</b>	Hidden Lake Apartments
<b>West</b>	Vacant

**Adjacent Zoning and Land Use**

	<b>Land Use Category</b>	<b>Zoning Category</b>
<b>North</b>	NW 21 <sup>st</sup> Avenue (MUL and Office on north side)	NW 21 <sup>st</sup> Avenue (MU-1 and OF (General office district) on north side)
<b>South</b>	Conservation	Conservation
<b>East</b>	Residential Medium-Density (8-30 units per acre)	RMF-6 (8-15 units/acre multiple-family residential district)
<b>West</b>	Mixed-Use Low-Intensity (8-30 units per acre) (MUL)	MU-1 (8-30 units/acre mixed use low intensity)

## List of Appendices

### Appendix A Comprehensive Plan GOPs

Exhibit A-1 Comprehensive Plan GOPs

### Appendix B Supplemental Documents

Exhibit B-1 Aerial

Exhibit B-2 Map: Existing Zoning

Exhibit B-3 Map: Proposed Zoning

Exhibit B-4 Memorandum from Environmental Coordinator

Exhibit B-5 Memorandum from Alachua County Public Schools

Exhibit B-6 Mixed use low intensity district (MU-1)

Exhibit B-7 Multiple-family medium density residential districts (RMF-6, RMF-7 and RMF-8)

### Appendix C Application Package from Petitioner

Exhibit C-1 Hidden Lake SFR LC Zoning Application (Brown & Cullen, Inc.)