



PLANNING DEPARTMENT  
PO Box 490, STATION 12  
GAINESVILLE, FL 32627-0490

306 N.E. 6<sup>TH</sup> AVENUE  
P: (352) 334-5022  
P: (352) 334-5023  
F: (352) 334-3259

## DEVELOPMENT REVIEW STAFF REPORT

**TO:** Development Review Board **Item Number:** OB1

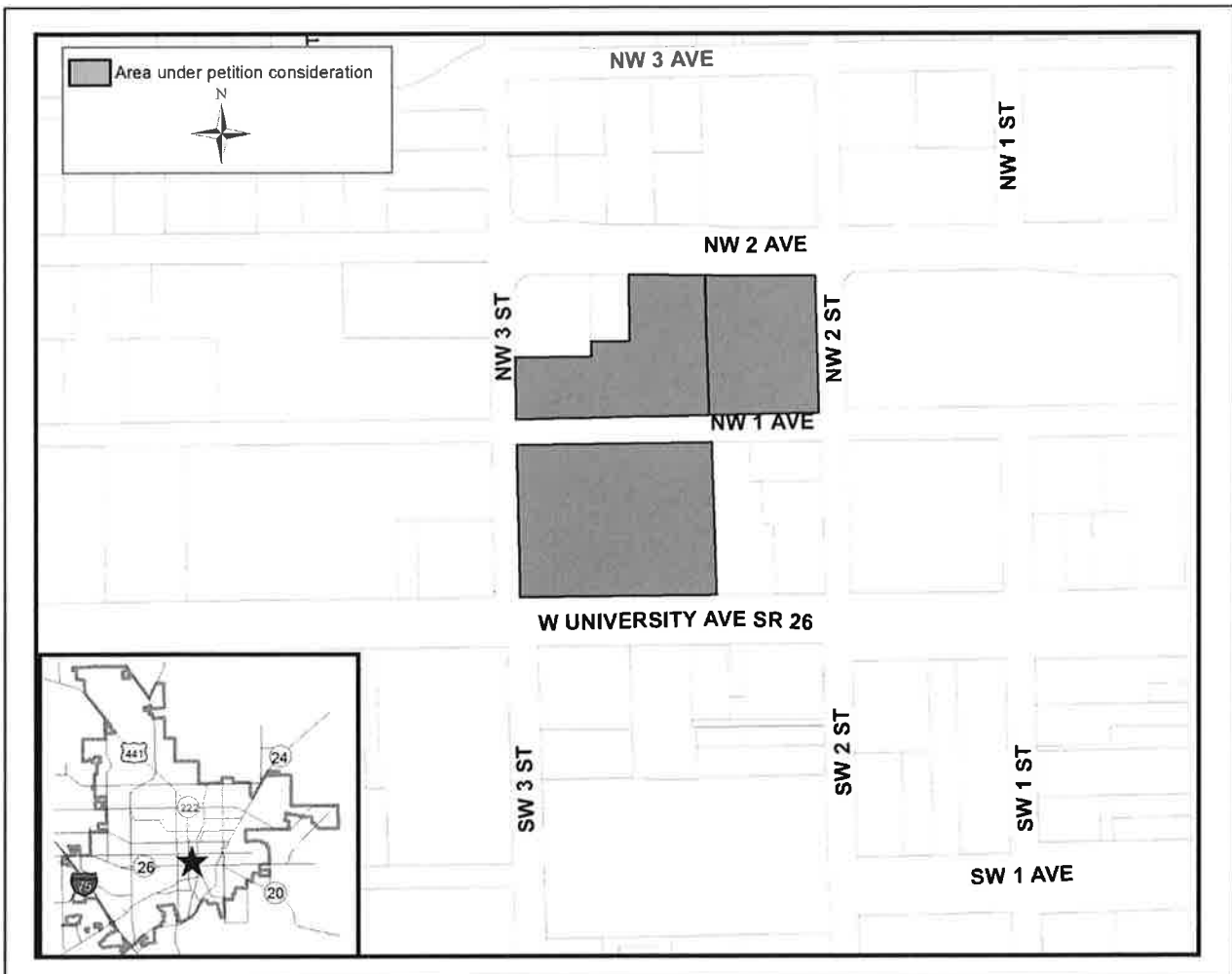
**FROM:** Planning Department Staff **DATE:** September 27, 2016

**SUBJECT:** Petition DB-16-38 SPL. Chen Moore and Associates (Cristobal Betancourt), agent for 238 Development LLC, owner. Major development plan review to allow the construction of a three-story, mixed-use building with 55 residential units and a three-story, 71 unit residential building. Zoned: CCD (Central city district). Located at 222 NW 1st Avenue & NW 2nd Street.

**PROJECT NAME:** 238 University

### Staff Recommendation:

The revised development Plan is Approvable with Staff Conditions and Technical Review Committee comments.



## PROJECT ANALYSIS

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**PROJECT DESCRIPTION:** Development plan review for the construction of one 3-story multifamily building and one 3-story mixed use building.

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### PROPERTY DESCRIPTION:

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Address/Parcel: 14269-000-000, 14260-000-000, 14260-001-000  
 Acreage: 2.54 acres  
 Land Use: Mixed-Use High  
 Zoning: CCD: Up to 150 units/acre central city district.  
 Special Features: Traditional City Special Area Plan  
 Agent/Applicant: Chen Moore and Associates  
 Property Owner: KLM Properties, Inc.  
 Related Petitions: NA

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### SURROUNDING PROPERTY CHARACTERISTICS

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|       | Land Use Designation | Zoning | Existing Use of Properties  |
|-------|----------------------|--------|---|
| North | MUH                  | CCD    | Commercial/office, parking lot, Pleasant Street Historic District |
| South | MUH                  | CCD    | University Avenue, commercial                                     |
| East  | MUH                  | CCD    | Offices, commercial, NW 2 <sup>nd</sup> St.                       |
| West  | MUH                  | CCD    | NW 3 <sup>rd</sup> St., offices (Firestone building), parking lot |

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### **GENERAL DESCRIPTION AND KEY ISSUES:**

This petition for site plan approval was considered by the Development Review Board (DRB) at the June 28<sup>th</sup>, 2016 hearing. The original project proposed the construction of two 5-story multi-family residential buildings with ground floor parking on portions of two city blocks located between NW 2<sup>nd</sup> Avenue and University Avenue and NW 2<sup>nd</sup> Street and NW 3<sup>rd</sup> Street. The project site is bisected by NW 1<sup>st</sup> Avenue and does not include the northwestern or southeastern portions of the two city blocks as depicted on page 1 of this report. At the conclusion of the hearing, the applicant requested a continuance to address the concerns of City Planning Staff, the Development Review Board members, and the citizens present at the meeting. Staff and the DRB members expressed concern regarding the applicant's request for several exceptions to the City's Traditional City Special Area Plan requirements, particularly with regard to screening of structured and surface parking areas, the placement of liner

buildings along the project's street frontages, and the ability of the project to meet street tree and sidewalk width standards.

The applicant has submitted new development plans in order to address the concerns expressed by the DRB members. Significant revisions to the plans include:

- The building heights have been reduced from 5 stories with parking on the ground floor to 3-stories with residential units on the ground floor.
- Removal of the ground floor level of structured parking and replacement of two internal surface parking lots.
- Revised build-to lines to increase the area between the buildings and the curb line in order to meet Traditional City SAP standards and provide adequate space for street trees and sidewalks.
- Screening of all surface parking with residential and/or retail building space in accordance with the Traditional City SAP requirements.
- Reduction in the proposed number of residential units from 297 to 126.
- Expansion of the retail shell space on University Avenue frontage from 12' to 25' depth.
- Placement of the fitness facility on the University Avenue frontage adjacent to the expanded retail shell space.
- Removal of the proposed 7' screening wall along NW 2<sup>nd</sup> Avenue as shown on the original submittal.
- Changes to the proposed sidewalk widths along:
  - University Avenue from 10' to 14'.
  - NW 1<sup>st</sup> Avenue from 7' (north side) to ±9'
  - NW 1<sup>st</sup> Avenue from 11' (south side) to ±9'
  - NW 3<sup>rd</sup> Street from 8.5' to 7' (south of NW 1<sup>st</sup>)
  - NW 3<sup>rd</sup> Street north of NW 1<sup>st</sup> Avenue no change remains ±5'
  - No change on NW 2<sup>nd</sup> Avenue (7') and NW 2<sup>nd</sup> Street (7')
- Installation of underground sheet piling along NW 1<sup>st</sup> Avenue, NW 2<sup>nd</sup> Avenue, and NW 3<sup>rd</sup> Street to allow the installation of trees in locations constrained by existing utilities.
- Revised building elevations to reflect the reduction in the size and scale of the project.
- Reconfiguration of NW 1<sup>st</sup> Avenue to reflect the current two-way vehicular traffic pattern.
- Installation of 20 additional trees from the original submittal including:
  - Installation of 8 Tulip poplar trees along NW 3<sup>rd</sup> Street (No trees were proposed originally along this frontage)
  - Installation of 5 larger size southern live oaks along the University Avenue frontage and 6 along NW 2<sup>nd</sup> Avenue frontage.
  - Installation of 22 winged elms along the NW 1<sup>st</sup> Avenue frontage.
  - Installation of 19 tulip poplar trees along NW 2<sup>nd</sup> Street frontage and along property line adjacent to the Primrose office building to the east.
  - Installation of 7 tulip polar trees within the terminal islands of the interior surface parking lots within the north and south buildings.
- Reduction of waiver requests from 7 to 2.

## **BACKGROUND**

The subject property is currently developed with several existing structures including a 28,000 square foot night club located on the southwest corner of the site, a 6,300 square foot warehouse on the northwestern portion of the site, and a 1,500 square foot store on the northeastern portion along with several associated parking lots. This petition proposes the demolition of the existing onsite buildings and improvements to accommodate the redevelopment of the site with two 3-story mixed-use and multifamily buildings along with associated utility and stormwater infrastructure, landscaping, parking, streetscape and lighting improvements to serve the proposed development.

### **Site:**

The site is designated with a Mixed-Use High (MUH) land use and a Central City District (CCD) zoning (Exhibits A-2 and A-3). The site is also located within the Traditional City Special Area Plan (SAP) and is adjacent to the Pleasant Street Historic District to the north on the opposite side of NW 2<sup>nd</sup> Avenue. The site is subject to the requirements of the Traditional City SAP.

### **Buildings:**

The proposed buildings consist of 3 floors of residential units. The southernmost building extends across the entire southern portion of the property (Parcel 14269-000-000). The northern building is located on a portion of the remaining property (Parcels 14260-000-000, 14260-001-000).

The buildings contain approximately 126 dwelling units with a total of 219 bedrooms. The units are divided between the southern and the northern buildings with 55 units located in the southern building and 71 in the northern building. The units are a mix of one- and two-bedrooms. The southern building includes approximately 1,850 square feet of leasing and maintenance office space located at the ground floor entrance at the building's southwestern corner. Along the southern building's University Avenue frontage, the applicant is proposing approximately 921 square feet of retail behind a glass storefront façade. The southern building also includes approximately 1,445 square feet of gym space also along the University Avenue frontage along with a 1,584 square foot mechanical room.

### **Parking:**

The proposed development project includes the provision of approximately 169 vehicular parking spaces and 19 bicycle spaces. On-site vehicular parking is provided within two surface parking lots within the interior courtyards of both buildings. Bicycle parking is provided both along the street frontages on University Avenue, NW 1<sup>st</sup> Avenue, and NW 3<sup>rd</sup> Street.

### **Streetscape and landscaping:**

The subject property is bordered by public roadways along the majority of the site and is divided by NW 1<sup>st</sup> Avenue as previously stated. The project proposes new brick sidewalks along the site's University Avenue, NW 2<sup>nd</sup> Street, NW 3<sup>rd</sup> Street, NW 1<sup>st</sup> Avenue, and NW 2<sup>nd</sup> Avenue property frontages. Multifamily developments subject to the Traditional City Special Area Plan are required to provide a minimum 6' sidewalk along local roadways and a 7' sidewalk along arterial and collector roads. The applicant is providing sidewalks that exceed the minimum requirements of the Special Area Plan with the exception for a small portion of the frontage on NW 3<sup>rd</sup> Street.

The project includes the removal of 42 trees on site which includes 28 regulated trees. Installation of 67 new trees is proposed along the project's street frontages and within the surface parking lot. New tree locations are detailed within the general description and key issues section described earlier within this report.

### **Lighting:**

Lighting is proposed throughout the project site. LED wall mounted fixtures are provided along the building's University Avenue façade and at building entrances and driveway locations. LED pole mounted fixtures set at 20' are provided within the surface parking lot north of NW 1<sup>st</sup> Avenue. Finally, pedestrian scaled LED pole mounted fixtures are provided along the south side of NW 1<sup>st</sup> Avenue. The proposed lighting design does not meet the City's requirements related to light trespass along NW 1<sup>st</sup> Avenue. Lighting levels along the City street are higher than the maximum light trespass of 1.0 foot-candles. Staff supports the proposed light trespass onto NW 1st Avenue. Light spill over onto the roadway will have a positive effect on safety and visibility for pedestrians. The City's light trespass requirements are oriented to protect residential and other adjacent properties from spillover and specifically exempt roadway and street lighting from the requirements of the photometric ordinance.

### **LAND DEVELOPMENT CODE CONSISTENCY:**

Following is an analysis of the consistency of the proposed plan with the applicable provisions of the Land Development Code.

As previously stated, the project is subject to the requirements of the City's Traditional City Special Area Plan (SAP). The purpose of the plan is stated here:

*"The Traditional City is established to improve the sense of place and community; improve the environment for businesses, including smaller, locally-owned businesses; support a healthy economy by providing a vibrant mix of commercial, office, retail and residential uses in close proximity; reduce crime by encouraging a 24-hour mix of uses and a significant number of pedestrians; strike a balance between the needs of the car and pedestrian by creating a pleasant ambiance and interesting people-scaled features, and make the pedestrian feel safe and inconvenienced; increase transit viability; and improve independence of people without*

*access to a car. The standards are designed to make Gainesville a more vibrant, livable place, and increase citizen pride in its development and downtown. The standards are designed to establish an important engine in job creation, a strengthened tax base, and an incubator for new, entrepreneurial, locally-owned businesses and entry-level job opportunities. The standards are also intended to protect the property values of nearby residential areas.”*

Exhibit A-4 contains the Traditional City Special Area plan for reference by the Board. The SAP guides new development with respect to the placement and design of buildings, the provision and disposition of parking, streetscaping, building articulation and glazing, and screening of mechanical equipment and trash receptacles. The SAP also includes the ability for a project to request exceptions to those standards from the Development Review Board. In granting an exception the Board must follow the exceptions criteria included below:

*Exceptions.* Exceptions to these standards can be granted by the appropriate reviewing board, city manager or designee, upon a finding that either of the following criteria are met:

1. The proposed construction is consistent with the overall intent of these minimum development standards; or
2. The applicant proves an undue hardship, owing to conditions peculiar to the land or structure and not the result of the action of the applicant, would result from strict adherence to these standards.

#### **Build-to line:**

The SAP stipulates that in most instances, the build-to line shall be 20' from the back of curb for at least 70% of the building façade. The SAP further states that, “when considering a closer build-to line, the building facade shall, in most instances, be no closer than 14 feet from the curb or edge of pavement along an arterial, 12 feet along a collector, and 11 feet along a local street, in order to leave space for adequate sidewalks and tree strips. When the proposed building is adjacent to existing buildings on an abutting property the facade shall, in most instances, be built at the facade of the adjacent building closest to the street.”

The build-to lines for the proposed building facades are as follows:

| <b>Street frontage:</b>   | <b>Required:</b> | <b>Provided:</b> |
|---------------------------|------------------|------------------|
| University Avenue         | 14'              | 14'              |
| NW 3 <sup>rd</sup> Street | 11'              | 11'-14'          |
| NW 1 <sup>st</sup> Avenue | 11'              | 15'-18'          |
| NW 2 <sup>nd</sup> Street | 11'              | 13'              |
| NW 2 <sup>nd</sup> Avenue | 12'              | 12'              |

#### **Parking design:**

The intent of the parking section of the SAP is stated as follows:

*“Parking is one component of the successful commercial area, but should not dominate the streetscape, degrade the public realm, or excessively inconvenience pedestrians or transit users in the traditional city. A good pedestrian environment is important competitive leverage for the traditional city over other commercial areas. Parking areas located in front of buildings are inconvenient and unpleasant for pedestrians. They significantly increase walking distances from the public sidewalk. They create hot expanses of asphalt, prevent the pedestrian on the public sidewalk from enjoying building details and activity within the building, and increase safety problems since pedestrians must dodge cars in the parking area. In addition, they prevent the building from contributing to an intimate, comfortable street edge. Buildings pulled up to the street without intervening parking area have more of a human scale.”*

The proposed revised development plans include the provision of two surface parking areas located within interior courtyards within the northern and southern buildings. The parking areas are screened in accordance with the Traditional City SAP requirements with proposed residential units arrayed around the project’s road frontages and retail/office/fitness space on University Avenue.

#### **Glazing and building articulation:**

The SAP requires 30% minimum glazing along front building walls between 3 feet above grade and 8 feet above grade on the first floor. A minimum of 10% glazing is required along the side walls. The revised project elevations include significantly increased glazing along all of the project frontages including new glazing along NW 1<sup>st</sup> Avenue.

The SAP requires that building walls facing a street provide a minimum amount of articulation in the form of pilasters, windows, pedestrian entrances, arcades, awnings, shutters and canopies, or other types of building massing that modulates the building mass or surface texture every 20 horizontal feet. The buildings provide a variety of architectural features and surface treatments that meet the minimum articulation requirements required by the SAP.

#### **Screening of mechanical equipment and trash receptacles:**

The SAP requires that mechanical equipment and trash receptacles are screened from the public sidewalk. Trash collection within the development is proposed within the surface parking lots and will be screened from the street frontages by the proposed buildings. Mechanical equipment is provided within the building and will be located within the building envelope.

### **COMPREHENSIVE PLAN CONSISTENCY:**

Following is an analysis of the consistency of the proposed plan with the applicable policies of the Comprehensive Plan.

The proposed project is consistent with the goals, objectives, and policies contained within the Comprehensive Plan and referenced below:

Future Land Use Element:

**GOAL 1:** Improve the quality of life and achieve a superior, sustainable development pattern in the city by creating and maintaining choices in housing, offices, retail, and workplaces, and ensuring that a percentage of land uses are mixed, and within walking distance of important destinations.

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

**Policy 1.2.6** The City should encourage or require buildings to put “eyes on the street” with front facade windows and doors.

**GOAL 2:** Redevelop areas within the city, as needed, in a manner that promotes quality of life, transportation choice, a healthy economy, and discourages sprawl.

**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.

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

**Mixed-Use High-Intensity (up to 150 units per acre)**

This category allows a mixture of residential, office, business uses and light industrial uses concentrated in mapped areas. This category shall also allow traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance. Public and private schools, institutions of higher learning, places of religious assembly and community facilities shall be appropriate in this category. Such development shall function as a center serving the urban area. When in accord with all other land use regulations, residential densities up to 150 units per acre shall be permitted. Land development regulations shall be prepared to ensure the compact, pedestrian character of these areas. Land development regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 4 acres or larger. At a minimum, the land development regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential. Residential use shall not be a required development component for public and private schools, institutions of higher learning, places of religious assembly and



community facilities. Buildings in this category shall face the street and have modest (or no) front setbacks. Floor area ratios in this district shall not exceed 10.00.

### **WAIVER AND EXCEPTIONS REQUESTED:**

1. REDUCTION IN THE NUMBER OF STREET TREES ALONG UNIVERSITY AVENUE FROM 7 TO 6 AS DESCRIBED BELOW.

The applicant has coordinated with the City's Urban Forester to place 5 larger southern live oaks along University Avenue. University Avenue is a FDOT right-of-way and must maintain clear sight for pedestrians and motorists. The tree reduction will allow larger specimen trees to be located along University Avenue and still meet FDOT requirements.

2. REDUCTION OF 3 REQUIRED TREES WITHIN THE TERMINAL ISLANDS OF THE SURFACE PARKING LOTS.

The applicant has coordinated with the City's Urban Forester to place parking lot trees within the terminal islands of the interior parking areas. Due to the presence of underground stormwater facilities the applicant has requested a reduction of the number of required trees within the parking areas.

3. REDUCTION IN THE NUMBER OF REQUIRED TREES WITHIN A PARKING ROW EXCEEDING 126'.

The City's Code requires a tree every 126' of linear parking rows. The Urban Forester and the applicant have worked to install additional trees within the parking area. As stated above, the presence of the underground stormwater facility and building overhangs necessitates the proposed reduction of 2 trees within this area.

## **STAFF RECOMMENDATION:**

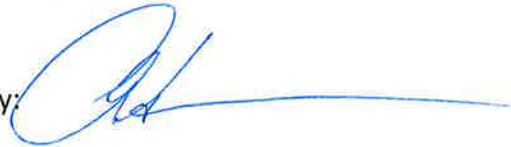
Staff finds that **Petition DB-16-38 SPL** is **approvable** with the following conditions and the TRC comments included in within the report. These conditions and recommendations must be addressed with the Final Development Plan.

**Condition 1:** Final development plan approval cannot be issued without a Utility Construction Permit (UCP) from GRU for the project.

Respectfully submitted,

Ralph Hilliard  
Planning Manager

Prepared by:



Andrew Persons, AICP, LEED GA  
Interim Principal Planner

## **List of Appendices**

### **Appendix A Supplemental Documents**

|                    |                                      |
|--------------------|--------------------------------------|
| <u>Exhibit A-1</u> | TRC Comments and applicant responses |
| <u>Exhibit A-2</u> | Waiver request letter                |
| <u>Exhibit A-3</u> | Revised Development Plans            |
| <u>Exhibit A-4</u> | Traditional City Special Area Plan   |