

060014

# City of Gainesville

## Inter-Office Communication

Department of Community Development  
Phone 334-5022, FAX 334-2282, Station 11

**To:** City Plan Board  
**From:** Planning Division Staff  
**Subject:** Petition 40LUC-06 PB, Mount Olive AME Church. Amend the land use designation of property from RL, Residential Low Density (up to 12 units/acre) to REC, Recreation. Located at 837 Southeast 7<sup>th</sup> Avenue. Related to Petition 41ZON-06PB.

Item No. 2

**Date:** May 18, 2006

### Recommendation

Planning Division staff recommends approval of Petition 40LUC-06 PB.

### Explanation

This is an application to change the land use designation of approximately 1.84 acres from RL to REC. The subject parcel is located in Southeast Gainesville's Springhill Neighborhood. As shown on the attached land use designation map, the subject parcel is the northern half of a block bounded by 8<sup>th</sup> Street on the west, 9<sup>th</sup> Street on the east, 8<sup>th</sup> Avenue on the south, and 7<sup>th</sup> Avenue on the north.

The purpose of this request is to allow the vacant historic buildings on the site to be redeveloped as a museum and cultural center. The largest building on the site was moved to its current location after World War II and has been used as a movie theater, nightclub and storage building. In the past, this one-story wood frame building has been known as The Perryman Theater, The Cotton Club and The Blue Note. The property's owner is working with the University of Florida to restore the site for use as a museum, gift shop, and neighborhood activity center.

The subject property also contains five other vacant one-story structures. Those structures are four small wood frame houses and the former Perryman Grocery Store.

The subject property and all surrounding properties are zoned RSF-4, Single-Family Residential (8 units/acre). This area of the city is dominated by single-family residences. An exception is the Mount Olive AME Church, which owns the subject property and is located along the subject property's southern boundary at 721 Southeast 8<sup>th</sup> Street. A park with a playground is located at the northwest corner of Southeast 8<sup>th</sup> Avenue and 9<sup>th</sup> Street.

The proposed Recreation designation identifies appropriate areas for public and private leisure activities. Land development regulations shall address the scale, intensity and buffering of structures and outdoor improvements.

### Potential Impact on Adopted Level Of Service (LOS) Standards

The potential impact of the proposed land use designation and zoning changes on adopted LOS standards must be evaluated. The property is located within Zone A of the Gainesville Transportation Concurrency Exception Area and is exempt from transportation concurrency for roadway LOS standards. Any proposed use for the area, however, would have to meet policy and regulatory requirements to address

transportation needs during the Development Plan approval process. The quantity of automobile traffic that will be generated by any use that may be proposed for the site has yet to be determined. Gainesville Regional Transit System's Bus Route 7 provides service to this site along Southeast 7<sup>th</sup> Avenue. Additionally, potable water and sanitary sewer service are available to the site, and stormwater management will be addressed at the time of development plan approval.

### **Character of the District and Suitability for Particular Uses**

Currently, there is no community center in the Springhill Neighborhood, although obtaining one has been a neighborhood goal for some time. Community centers provide educational, employment, cultural, and recreational opportunities. For those reasons, they generally have a positive impact (in terms of development, quality of life, and property values) on the neighborhoods where they are located.

Several factors, including the historic value of the site and its structures, indicate that the subject property is suited for a neighborhood cultural and community center. The site is highly accessible since it is located adjacent to three streets and a bus route, and is approximately half a block from a paved rail-trail. At 1.84 acres in size, the site is big enough to accommodate a large parking area, if necessary.

### **Substantial Changes in Character or Development in the Area**

Interest in the Springhill Neighborhood--and East Gainesville in general, has increased over the last ten to fifteen years. Planned or completed public projects in and around the Springhill Neighborhood include the following:

- Improvements to Depot Avenue;
- Depot Avenue Park;
- Depot Avenue Rail-Trail; and
- Springhill Neighborhood Park

In addition, the City is using several planning tools to encourage both public and private investment in this area. Those tools include the following:

**Plan East Gainesville.** This report and master plan--produced jointly by the City of Gainesville and Alachua County, recommended major infrastructure and land use improvements in East Gainesville.

**Eastside Community Redevelopment Agency District.** The City recently established, and is studying expanding, this district. Community Redevelopment Agencies have been successful at developing and implementing redevelopment plans, largely due to special funding options.

**Neighborhood Planning Program.** The City Commission has selected the Springhill Neighborhood for special planning and capital improvements assistance.

**Enterprise Zone.** Development within Enterprise Zones is encouraged through the use of discounted permit fees and the availability of grants for these areas.

### **Applicable Portions of Current City Plans**

The subject property is within the Community Redevelopment Agency's Eastside District. The District's Redevelopment Plan lists historic buildings, in general, and the Cotton Club, in particular, as community

assets. The Plan encourages projects that “Continue to improve, develop, and expand neighborhood centers for recreation, social, and education opportunities.”

Additionally, Plan East Gainesville emphasizes the need for more activity, recreation, and cultural centers.

Finally, the subject property is not covered by any environmental or historic preservation overlay districts.

### **Affordable Housing**

Currently, there is no occupied housing on the site. This petition will not have a negative impact on the provision of affordable housing.

### **Applicable Goals, Objectives and Policies of the Comprehensive Plan**

The following goals, objectives, and policies are particularly applicable to this petition. Staff determined that the petition is consistent with all of the listed goals, objectives, and policies.

### **Future Land Use Element**

**Policy 1.1.1** To the extent possible, all planning shall be in the form of complete and integrated communities containing housing, shops, work places, schools, parks and civic facilities essential to the daily life of the residents.

**Policy 1.1.4** The city and its neighborhoods, to the extent possible, shall have a center focus that combines commercial, civic, cultural and recreational uses.

**Policy 1.1.5** The city, to the extent possible, should contain an ample supply of squares, greens and parks whose frequent use is encouraged through placement, definition and design.

**Policy 1.1.6.** The City shall encourage community-serving facilities, such as government offices, farmers markets, and convention centers to be centrally located, instead of in dispersed, remote, peripheral locations. Public, community-serving facilities should be developed primarily in the city’s central core, and, as appropriate, in neighborhood centers. Private, community-serving facilities should be discouraged from locating in peripheral locations.

**Objective 3.2** The City shall protect historic architectural and archaeological resources by using the following policies.

**Policy 3.2.2** The City shall continue to identify, designate and protect historical resources through the land development regulations, in keeping with the Historic Preservation Element.

**Policy 3.2.3** By 2003, the City shall incorporate known archeological sites into its geographic information system.

**Goal 4** The Land Use Element shall foster the unique character of the City by directing growth and redevelopment in a manner that uses neighborhood centers to provide goods and services to City

residents; protects neighborhoods; distributes growth and economic activity throughout the City in keeping with the direction of this element; preserves quality open space and preserves the tree canopy of the City. The Land Use Element shall promote statewide goals for compact development and efficient use of infrastructure.

**Recreation.** This category identifies appropriate areas for public and private leisure activities. Land development regulations shall address the scale, intensity and buffering of structures and outdoor improvements. This category shall meet the appropriate intensities of use as established by the Recreation Element.

**Historic Preservation Element**

**Goal 1** Preserve, protect, enhance and support the historic, archaeological and cultural resources within the City of Gainesville.

**Objective 1.2** The City shall increase the number of historic resources listed in the Local or National Register of Historic Places.

**Objective 1.3** The City shall reduce the number of historic resources in need of stabilization and rehabilitation on an annual basis.

This petition is consistent with all of the applicable goals, objectives and policies of the Future Land Use Element and the Historic Preservation Element. It will allow the redevelopment of a dilapidated historic site into a community and cultural center. The petition is consistent with the Comprehensive Plan, and staff recommends approval of Petition 41ZON-06 PB.

<b>Applicant Information</b>	City of Gainesville, agent for Mount Olive AME Church, owner
<b>Request</b>	Change the land use designation from RL, Residential Low Density (up to 12 units/acre) to REC, Recreation
<b>Existing Land Use Plan Classification</b>	RL
<b>Existing Zoning</b>	RSF-4
<b>Location</b>	837 Southeast 7 <sup>th</sup> Avenue
<b>Size</b>	Approximately 1.84 acres
<b>Existing Use</b>	Six vacant buildings
<b>Surrounding Land Uses</b>	
<b>North</b>	Residential
<b>South</b>	Church and Residential
<b>East</b>	Residential
<b>West</b>	Residential


<b>Surrounding Controls</b>	<b>Existing Zoning</b>	<b>Land Use Plan</b>
-----------------------------	------------------------	----------------------

City Plan Board  
Petition 40LUC-06 PB  
May 18, 2006

<b>North</b>	RSF-4	RL
<b>South</b>	RSF-4	RL
<b>East</b>	RSF-4	RL
<b>West</b>	RSF-4	RL

**Recent Zoning History** No recent changes.

Respectfully Submitted,



Ralph Hilliard  
Planning Manager

RH:JW

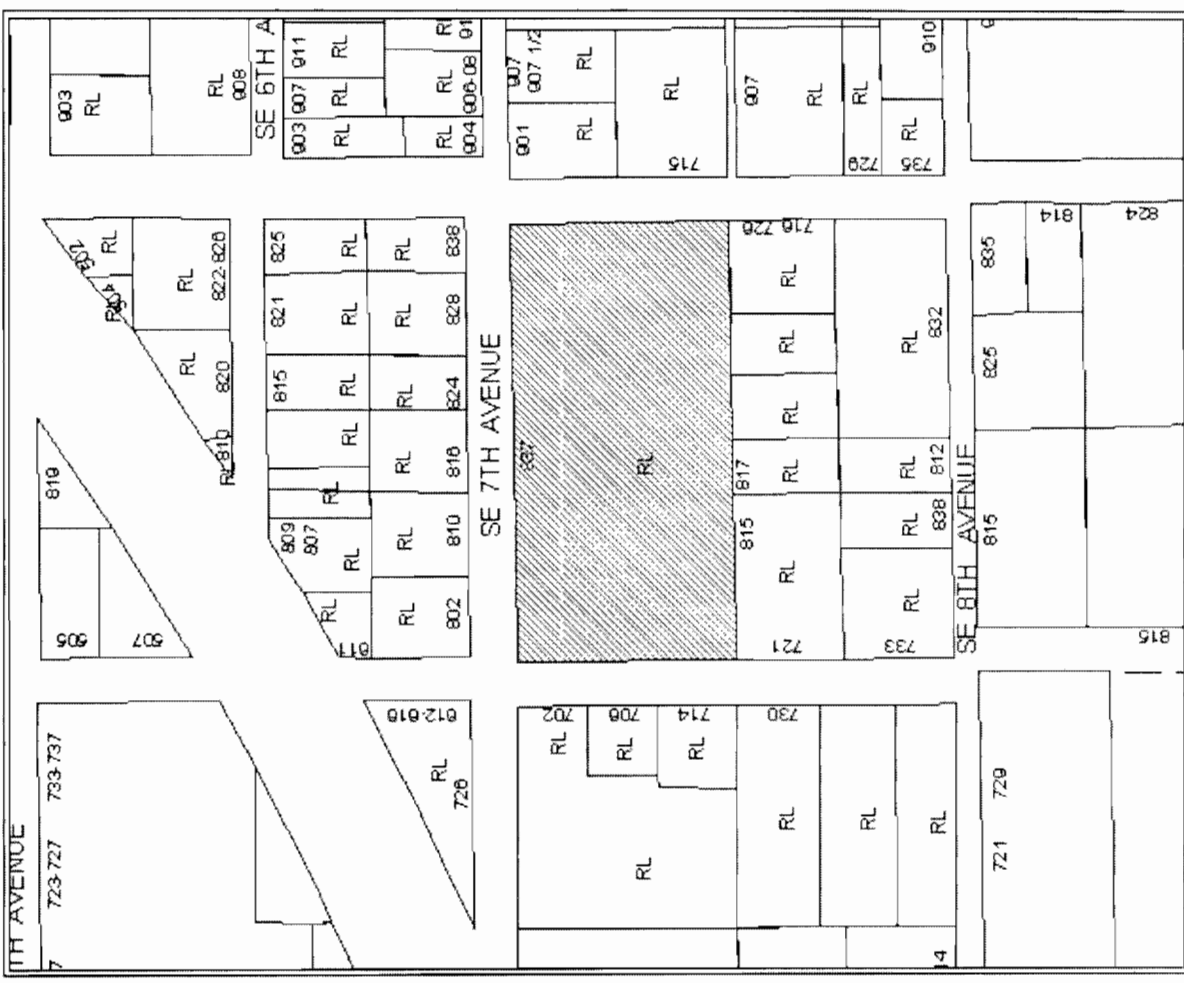
Attachments

# Land Use Designations

- SF Single Family (up to 8 units per acre)
- RL Residential Low Density (up to 12 units per acre)
- RH Residential Medium Density (8-30 units per acre)
- RH Residential High Density (8-100 units per acre)
- MUR Mixed Use Residential (up to 75 units per acre)
- MUL Mixed Use Low Intensity (10-30 units per acre)
- MUM Mixed Use Medium Intensity (14-30 units per acre)
- MUH Mixed Use High Intensity (up to 150 units per acre)
- O Office
- C Commercial
- IND Industrial
- E Education
- REC Recreation
- CON Conservation
- AGR Agriculture
- PF Public Facilities
- PUD Planned Use District

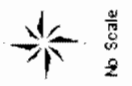
----- Division line between two land use districts  
 \_\_\_\_\_ City Limits

Area under petition  
 on side ration



## LAND USE

Name	Petition Request	Map(s)	Petition Number
City of Gainesville applicant for Mount Olive AME Church	Land Use Change from R-L to REC	4052	40LUC-06PB



No Scale



## AERIAL PHOTOGRAPH

Name	Petition Request	Map(s)	Petition Number
City of Gainesville, agent for Mt. Olive AME Church	Change FLUM from R-L (Residential Low Density) to REC (Recreation) Change Zoning from RSF-4 (Residential Single Family district) to PS (Public Services and Operations district)	4052	40LUC-06PB 41ZON-06PB



No Scale

G 134479  
NO \_\_\_\_\_

THE GAINESVILLE SUN

Published Daily and Sunday  
GAINESVILLE, FLORIDA  
STATE OF FLORIDA  
COUNTY OF ALACHUA

Ernest Blake, III

Before the undersigned authority appeared.....  
Legal Advertising Coordinator

Who on oath says that he is.....of THE GAINESVILLE SUN, a daily

newspaper published at Gainesville in Alachua County, Florida, that the attached copy of advertisement,  
being

**PUBLIC NOTICE**

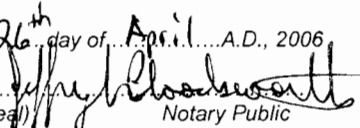
.....  
Neighborhood Workshop meeting will be held on Saturday, April 22, 2006 at 9:00 AM  
In the matter of .....

in the.....Court, was published in said newspaper in the issues of  
April 8, 2006  
..... 2006

Affidavit further says that the said THE GAINESVILLE SUN is a newspaper published at Gainesville,  
in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published  
in said Alachua County, each day, and has been entered as second class mail matter at the post office in  
Gainesville, in Said Alachua County, Florida, for a period of one year next preceding the first publication  
of the attached copy Of advertisement; and affiant further says that he has neither paid nor promised any  
person, firm or corporation any discount for publication in the said newspaper.

Sworn to and subscribed before me this

...26<sup>th</sup> day of April...A.D., 2006

  
(seal) Notary Public





Jeffrey L. Bloodsworth  
MY COMMISSION # DD159430 EXPIRES  
October 20, 2006  
BONDED THROUGH TROY FAIN INSURANCE, INC.

**PUBLIC NOTICE**

A neighborhood workshop will be held to discuss a future land use map designation amendment from RL, Residential Low Density (up to 12 units/acre), to REC, Recreation, and a rezoning from RSF-4, Single Family Residential (up to 8 units/acre), to PS, Public Services and Operations, on 1.84 acres located at 837 Southeast 7<sup>th</sup> Avenue. This is not a public hearing. The purpose of the meeting is to inform neighboring property owners of the nature of the proposal and to seek their comments. The meeting will be held Saturday, April 22, 2006, at 9:00 a.m., at Mount Olive AME Church, 721 Southeast 8<sup>th</sup> Street, Gainesville, Florida. Contact person: John Wachtel (352) 334-5022



## Summary

**Cotton Club Land Use Amendment and Rezoning  
Neighborhood Workshop  
Saturday, April 22, 2006, 9:00 a.m. to 10:00 a.m.  
Mount Olive AME Church, 721 Southeast 8<sup>th</sup> Street, Gainesville, Florida**

### Attendees

1. John Wachtel, City Staff
2. Donna Isaacs, Executive Director, The Cotton Club Museum and Cultural Center
3. Willie Ausgood
4. Daniel Isaacs
5. Vivian Filer
6. Doris Edwards
7. Judy Acosta
8. Mae B. Scott

John Wachtel, a planner for the City of Gainesville, introduced himself. He stated that the current zoning and land use designation of the site generally limit uses to residential. He said the proposed changes are necessary to allow a museum and cultural center with exhibits, meetings, performances, offices and an accessory gift shop. Mr. Wachtel stated that the proposed zoning also allowed a broad range of government uses, such as parks, offices, and utilities.

Mr. Wachtel explained that the land use amendment and rezoning process required at least three meetings. The first meeting is the May 18, 2006, Plan Board Meeting at 6:30 p.m. The Plan Board must make a recommendation to the City Commission, who would consider the item at a minimum of two evening meetings. All meetings would be public hearings, which means that letters would be sent to the owners of properties within 400 feet of the subject property, an ad would be placed in the Gainesville Sun, a sign would be placed on the subject property, and the public would have an opportunity to comment. All meetings will be held in the City Commission Chambers in City Hall.

Donna Isaacs discussed specific proposed uses, such as meetings, performances, weddings, cultural museum and exhibits, and Saturday morning movies for children. She talked about the historical significance of the site. She explained that Phase 1 of the project will focus on the primary building. She indicated that the former grocery store was envisioned as a gift shop and ice cream parlor.

Willie Ausgood stated that he did not see how preserving the old houses on the site could be positive. He said they did not have historical significance, they are so dilapidated that repairing them would be extremely expensive, and even repaired, he doubted that they could be made attractive again. He stated that there were many other more worthy and less expensive projects in the area.

**Petition 40LUC-06 PB**

Mount Olive AME Church. Amend the City of Gainesville 2000-2010 Future Land Use Map from RL (Residential Low Density, up to 12 units per acre) to REC (Recreation). Located at 837 SE 7<sup>th</sup> Avenue. Related to 41ZON-06 PB.

Mr. John Wachtel, Neighborhood Planning Coordinator, was recognized. He said this was a request to allow the property to be developed as a museum and community center. He said the main building on the property is known as the Cotton Club and has also been known as the Blue Note and the Perryman Theater and is located in the Springhill Neighborhood.

Mr. Wachtel stated that the proposed use as a museum and cultural center is not permitted under the current residential land use and residential zoning district, but would be permitted under the proposed land use and zoning districts. He showed slides of the property and surrounding districts, and slides of the main building. He explained there is a non-profit organization working on revitalizing the building and the entire site. He stated staff felt the proposal would generate redevelopment and positive activity that would benefit the area and that staff recommended approval of the petition.

Chair Polshek stated that, at the neighborhood meeting, a member of the public had expressed concern regarding the other structures on the parcel.

Mr. Wachtel stated there were six buildings on the site, which included the Perryman Grocery Store in the northwest corner. He stated four of the buildings were previously residential, and all were vacant at this time. He stated the concern raised at the neighborhood meeting was about the time and effort it would take to rehabilitate the four residential buildings due to their historical significance. He stated the zoning being proposed would not require those buildings to be developed or impact whether they could be demolished, rehabilitated or moved.

Chair Polshek asked whether a development plan for the site had been submitted to the City.

Mr. Wachtel stated no development plan had been submitted, however, there had been a First Step Meeting at which the land use and rezoning applications were coordinated. He said a formal Development Plan application was anticipated in the near future.

Chair Polshek explained that, typically with rezoning petitions, a Development Plan is submitted at the same time to assist the Plan Board in considering the proposal.

Ms. Vivian Filer, Chair of the Board for the project, was recognized. She stated a lot of work had been put into the project and that Executive Director, Donna Isaacson, would answer any questions about the actual plan and its layout.

Ms. Donna Isaacson was recognized. She stated she was a graduate student at the University of Florida and works in the Powell Center for Construction and Environment and had been working on the Cotton Club project for the past two years. She stated a feasibility study on the Cotton Club had been done and an application for the National Register of Historic Places had been submitted. She stated the project has received a special category grant from the State that should be funded in July. She stated contingent upon receiving the special category grant, there have been donations. She stated \$30,000 had been donated by the

*These minutes are not a verbatim account of this meeting. Tape recordings from which the minutes were prepared are available from the Community Development Department of the City of Gainesville.*

City that should be used for an architect and engineer to develop the plans. She stated once the proposed Land Use and Zoning were in place, the funds will be received and the project will get underway.

Mr. Gold asked what was planned for the other buildings on the site.

Ms. Isaacson stated the hall would be rehabilitated and stabilized. She stated the building would be used for performances--not a club. She stated it would be used for adaptive reuse as a hall for evening performances, day performances and as a place where students can take lessons. She said the building would be divided for multiple purposes, such as meetings and there would be no fixed seating.

Mr. Gold asked if there was plumbing.

Ms. Isaacson said there is plumbing and electricity, but not up to code.

Mr. Gold asked whether there was a concrete floor.

Ms. Isaacson replied that there was a wooden structure.

Ms. Isaacson said it was hoped that the historic grocery store would be used as a sandwich shop and/or ice cream parlor.

Ms. Filer discussed the historic value and what is proposed for the Cotton Club museum.

Chair Polshek asked if anyone from the public wished to speak.

Mr. Willy Ausgood, 810 SE 7<sup>th</sup> Avenue, was recognized. He stated he was not opposed to the Cotton Club building itself, but was concerned about the other buildings on the property. He stated the neighborhood has not seen any plans. He said he was told the building would hold 200 people and he was concerned about parking. He felt the parking should be on the site.

Ms. Filer stated that she understood the need for the neighbors to know what is proposed. She stated there have been pictures but nothing is final yet. She stated they would do whatever is necessary to bring the building and the property up to code. She stated the parking would be on the property.

Chair Polshek stated there is a set of city ordinances that will require resolution to the problems.

Dr. Reiskind asked if just planning staff would be involved with the proposed plans.

Chair Polshek stated the petitioners would have to obtain the services of an architect and a civil engineer. He stated if the change were approved, the Development Plan would probably go before the Development Review Board.

Ms. Bedez Massey, Planner, stated both the City and County would be involved in reviewing the Development Plan.

Mr. Wachtel clarified that the request was for PS, Public Services and Operations and not a Planned Development. He stated that when the project is submitted for development plan approval, it would depend on the size and the amount of impervious surface, among other things, as to who will review the plan. He explained that with PS zoning, the zoning could be written specifically to a use. He stated the plan will have

*These minutes are not a verbatim account of this meeting. Tape recordings from which the minutes were prepared are available from the Community Development Department of the City of Gainesville.*

to meet the requirements of the Land Development Code, and will not necessarily come back to the Plan Board.

Mr. Mimms stated there is a provision for a preliminary development plan to be submitted in conjunction with rezoning to PS. He stated the Plan Board could recommend to the City Commission whether a preliminary development plan is required before the property is rezoned.

Mr. Gold stated that the nature of these petitions is to help the community develop a community center. He stated there are many regulations in the City and by the time the project is finished, the issues will have been taken care of.

Mr. Cohen felt the petitions should be approved as presented. He said there would be an opportunity through staff and probably the Development Review Board to have any concerns addressed. He stated a similar project had been completed in Alachua and it was a great success.

<u>Motion By:</u> Dr. Reiskind	<u>Seconded By:</u> Mr. Gold
<u>Moved to:</u> Approve Petition 40LUC-06 PB.	<u>Upon Vote:</u> Motion Carried 4– 0 Aye: Cohen, Polshek, Reiskind, Gold

Chair Polshek stated he appreciated the need to streamline the process, however, the proposal is for a community center that will seat 200 people and will attract people from all over Gainesville and even outside of Gainesville. He felt it would be important for some preliminary development plan review before the Plan Board made a recommendation.

3. **Petition 41ZON-06 PB** Mount Olive AME Church. Rezone property from RSF-4 (8 units/acre single-family residential district) to PS (Public services and operations district). Located at 837 SE 7<sup>th</sup> Avenue. Related to Petition 40LUC-06 PB.

This petition was heard simultaneously with Petition 40LUC-06 PB.

<u>Motion By:</u> Mr. Gold	<u>Seconded By:</u> Dr. Reiskind
<u>Moved to:</u> Approve Petition 41ZON-06 PB..	<u>Upon Vote:</u> Motion Carried 4– 0 Aye: Cohen, Polshek, Reiskind, Gold