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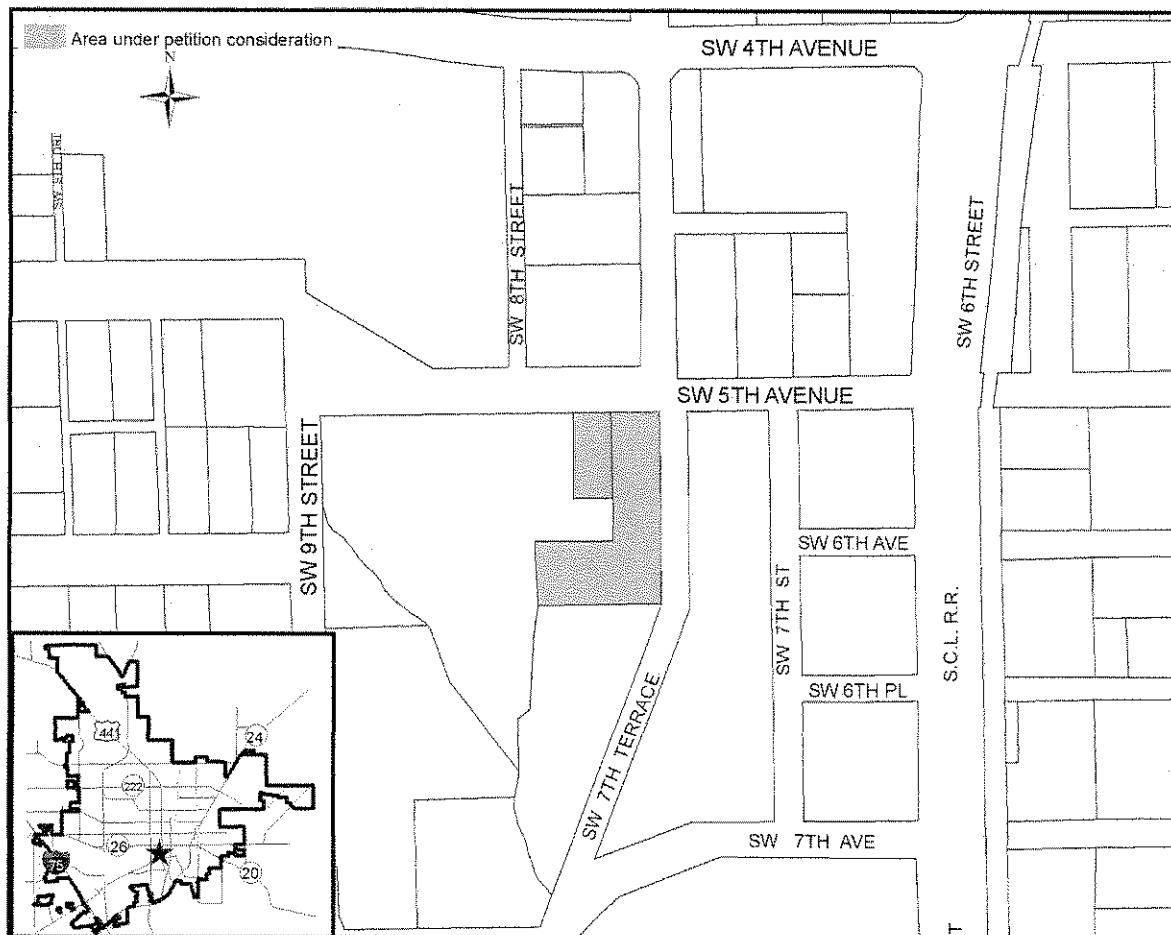
**TO:** City Plan Board **Item Number:** 8

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

**SUBJECT:** Petition PB-12-166 ZON. Cousseaux, Hewett, & Walpole, agent for Heritage Investments Group of Gainesville, LLC. Rezone property from RH-1 (8-43 units/acre residential high-density district) to UMU-2 (10-100 units/per acre; and up to an additional 25 units/acre by special use permit urban mixed use district) and update the boundaries of Figure 1.0 District Boundary Map – University Heights; Figure 2.0 Street Types – University Heights; Figure 2.1 Proposed Local Streets – University Heights; and Figure 3.0 Height Limits – University Heights to add the properties. Located at 717 and 721 SW 5<sup>th</sup> Avenue. Related to PB-12-165 LUC and PB-12-171 TCH.

### Recommendation

Staff recommends approval of Petition PB-12-166 ZON.



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## Description

This request is to change the zoning from RH-1 (8-43 units/acre residential high-density district) to UMU-2 (10-100 units/per acre; and up to an additional 25 units/acre by special use permit urban mixed use district) on the subject properties. This petition would also update the boundaries of Figure 1.0 District Boundary Map – University Heights; Figure 2.0 Street Types – University Heights; Figure 2.1 Proposed Local Streets – University Heights; and Figure 3.0 Height Limits – University Heights to add the subject properties. This zoning petition is related to Petition PB-12-165 LUC, which would amend the future land use map designation on the properties from Residential High-Density (8-100 units/acre) (RH) to Urban Mixed-Use 2 (UMU-2: 10-100 units/per acre; and up to an additional 25 units/acre by special use permit). It is also related to Petition PB-12-171 TCH, which would remove the subject properties from the Land Use and Building Type Matrix in the University Heights special area plan. These actions will remove the parcels from the University Heights Special Area Plan area. Please see the map on page 1 for the location of the subject properties, and Appendix C for the full map series.

The properties to be rezoned include two parcels that total approximately 0.62 acres in size. The parcel at 717 SW 5<sup>th</sup> Avenue has RH land use and RH-1 (8-43 units/acre residential high density district) zoning. The approximately 0.51-acre parcel is the site of a vacant church. The parcel located at 721 SW 5<sup>th</sup> Avenue is an approximately 0.11-acre parcel that served as the parking area for the church. This property also has an RH land use designation with RH-1 zoning. Both of the parcels are located within the University Heights Special Area Plan area, as well as the College Park/University Heights Redevelopment District. The building located on the subject property at 717 SW 5<sup>th</sup> Avenue is not located within a historic district and is not considered a contributing historic structure.

The existing RH-1 zoning allows up to 20 dwelling units per acre by right and up to 43 units per acre by using density bonus points. The proposed UMU-2 zoning allows up to 100 dwelling units per acre for residential development. Additionally, the UMU-2 district allows for a variety of non-residential uses, as well as residential use, which increases the viability of any redevelopment efforts on these properties in the future, in accordance with the design standards of the UMU-2 zoning district regulations, and the City's Comprehensive Plan.

The purpose of the proposed rezoning petition (and related land use amendment) is to enable the applicant to facilitate redevelopment of the property with a possible mix of retail, office and multiple-family residential uses.

## Key Issues

- The proposed rezoning is consistent with the Comprehensive Plan, as discussed below in "1. Consistency with the Comprehensive Plan."
- The subject properties are currently in the University Heights Special Area Plan area, but must be removed from the area if the land use and zoning changes are approved.
- Both the RH-1 and UMU-2 zoning districts allow high density residential, but UMU-2 allows a mix of office/research, retail, service and residential uses.

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- The UMU zoning districts are specifically established to support research and development in the physical, engineering and life sciences in close proximity to the UF main campus.

### **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 UMU-2 rezoning is consistent with the City's Comprehensive Plan and implements the UMU-2 land use category change proposed in Petition PB-12-165 LUC. The following objective and policies are the most pertinent to this petition. Objective 4.2 and Policy 4.2.1 can be adequately met by this petition because a high intensity land use category would be placed adjacent to an existing high-density residential area, which are both within the central core of the community, where density, pedestrian-oriented development and a mix of uses are encouraged. Land development regulations including the design provisions of the UMU-2 zoning district will ensure that retail and office uses will be scaled to fit into the character of the area.

### **Future Land Use Element**

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

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

**Urban Mixed-Use 2 (UMU-2: 10 to 100 units per acre; and up to 25 additional units per acre by special use permit)**

This category allows a mixture of residential, retail, service and office/research uses. The Urban Mixed Use districts are distinguished from other mixed-use districts in that they are specifically established to support research and development in the physical, engineering and life sciences in close proximity to the University of Florida main campus. An essential component of the district is orientation of structures to the street and multi-modal character of the area. Retail and office uses located within this district shall be scaled to fit into the character of the area. Residential density shall be limited to 10 to 100 units per acre with

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provisions to add up to 25 additional units per acre by special use permit. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. All new non-single-family principal buildings shall have a minimum height of 24 feet. Building height shall be limited to 6 stories and up to 8 stories by special use permit. Land development regulations shall set the appropriate densities; the distribution of uses; design criteria; landscaping, and pedestrian/vehicular access. Land development regulations shall specify the criteria for the siting of public and private schools, places of religious assembly and community facilities within this category.

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

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

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

The proposed rezoning is consistent with the Land Development Code. One of the objectives of the UMU-2 zoning district is to provide a mixture of residential, commercial and office/research uses that are complementary to the residential and mixed-use character of the district. In addition, the district encourages quality redevelopment and the renovation of existing structures. This proposed zoning change promotes infill development. The property is located within the core area of the City, and will assist with the redevelopment of a previously developed property. Please see Section 30-65.2 (a) *Intent*, of the UMU-2 zoning district in Appendix B.

The rezoning and subsequent development will utilize existing public utilities that served the previous use. Based upon projections provided by the petitioner and the approximate square footage of nonresidential use that could be built on the site (approximately 27,000 square feet), the uses allowed in UMU-2 will not adversely impact adopted levels of service for potable water, wastewater, solid waste, and recreation. Stormwater management is addressed at the time of development plan review.

## **3. Changed Conditions**

Redevelopment of the subject property represents an opportunity for additional urban redevelopment. Both parcels are previously developed properties which are being served by existing public facilities (including potable water, wastewater, transit, solid waste, public roads, recreation, and public schools). A major component of the UMU-2 zoning district is the orientation of structures to the street and the multi-modal character of the area. This type of development may encourage further redevelopment in this core area of the city because of the proximity to the University of Florida, the Santa Fe College downtown campus, and the

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Innovation Square area. The provision of residential and nonresidential uses in this area can promote more pedestrian activity, employment opportunities, and customers to nearby businesses, increasing and encouraging additional businesses to locate in the area.

#### **4. Compatibility**

The character of the area of the subject properties is mixed. To the north across SW 5<sup>th</sup> Avenue is an office (medical) building with associated parking, with UMU-2 land use and zoning. Northeast of the properties is a vacant parcel with UMU-2 land use and zoning. East of the site is the vacated right-of-way of SW 7<sup>th</sup> Terrace and Tumblin Creek Park, with RH land use and RH-1 zoning. To the south is also City-owned land that is part of Tumblin Creek Park. On the west side of the subject properties is the St. Croix Apartments, with RH land use and RH-1 zoning.

The proposed UMU-2 zoning designation allows residential use and residential density of up to 100 units per acre, more residential density than allowed in the existing RH-1 zoning. In addition, UMU-2 zoning allows retail, service, and office/research uses. The district places importance on the orientation of structures to the street and the maintenance of the multi-modal character of the area. Retail and office uses located within this district shall be scaled to fit into the character of the area. Land development regulations regulating UMU-2 zoning include design criteria that address landscaping, pedestrian and vehicular access, glazing and build-to-line provisions. The UMU-2 zoning category is consistent with the surrounding zoning districts.

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

This rezoning petition will increase the residential density on the subject properties. The existing RH-1 zoning allows up to 20 dwelling units per acre by right and up to 43 units per acre by using density bonus points. The proposed UMU-2 zoning allows up to 100 dwelling units per acre for residential development. Both the existing RH-1 zoning and proposed UMU-2 zoning designations allow high density residential use. Residential development on the site could provide more housing opportunities which may increase the amount of affordable housing.

#### **Transportation**

The properties are located within Zone A of the City's Transportation Concurrency Exception Area (TCEA), which is intended to promote redevelopment and infill in areas close to the University of Florida. Regional Transit Service (RTS) Routes 10 and 46 run one block north of the subject site along SW 4<sup>th</sup> Avenue.

Due to the location of the property within the University of Florida Context Area, if any multi-family residential development is proposed on the properties, it must comply with the provisions of Concurrency Management Element Policy 1.1.14, concerning new multi-family residential development funding capital transit costs associated with transit service needs. Payments are based on a proportionate share contribution toward the additional transit service enhancements needed to serve the proposed development in the RTS a.m. and p.m. peak hours to maintain existing service levels (frequencies). The payment will be based on the expected mode split of all development trips that will use transit. Any development on the property will be required to

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meet the standards of Policy 1.1.4 of the Concurrency Management Element, because of the TCEA Zone A location.

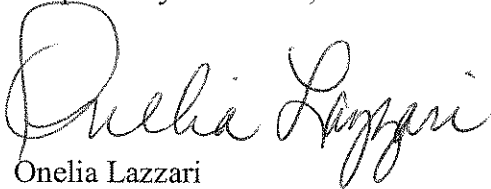
### **Environmental Impacts and Constraints**

There are no major environmental issues concerning the subject properties. The developed parcels are already considered urban land. There are no wetland or floodplain areas on the site. Stormwater management will be addressed at the time of development plan review and the properties are not in the Wellfield District. The City's Environmental Coordinator has reviewed the properties and determined that they are exempt from the Natural and Archaeological Resources Protection regulations.

### **Need for Amending Figures in Section 30-65.2**

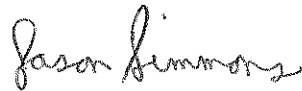
As part of this petition, certain maps found in Section 30-65.2, Urban mixed-use district 2 (UMU-2) need boundary adjustments to add the subject properties into the UMU-2 area of the University Heights neighborhood. Figure 1.0 District Boundary Map – University Heights; Figure 2.0 Street Types – University Heights; Figure 2.1 Proposed Local Streets – University Heights; and Figure 3.0 Height Limits – University Heights all need to add the subject properties into the UMU-2 boundary. These boundary changes are shown in the figures in Appendix C.

Respectfully submitted,



Onelia Lazzari  
Principal Planner

Prepared by:



Jason Simmons

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**Table 1**

**Adjacent Existing Uses**

<b>North</b>	Office building with associated surface parking lot
<b>South</b>	City-owned vacant residential land
<b>East</b>	Vacated right-of-way, Tumblin Creek Park
<b>West</b>	Multiple-family development

**Adjacent Zoning and Land Use**

	<b>Land Use Category</b>	<b>Zoning Category</b>
<b>North</b>	Urban Mixed Use 2	UMU-2
<b>South</b>	Residential High	RH-1
<b>East</b>	Residential High	RH-1
<b>West</b>	Residential High	RH-1

## List of Appendices

### Appendix A Comprehensive Plan GOPs

- Exhibit A-1 Future Land Use Element
- Concurrency Management Element

### Appendix B Land Development Code

- Exhibit B-1 UMU-2 purpose and objectives

### Appendix C Supplemental Documents

- Exhibit C-1 Existing Zoning Map
- Exhibit C-2 Proposed Zoning Map
- Exhibit C-3 Aerial Map
- Exhibit C-4 Figure 1.0 District Boundary Map – University Heights
- Exhibit C-5 Figure 2.0 Street Types – University Heights
- Exhibit C-6 Figure 2.1 Proposed Local Streets – University Heights
- Exhibit C-7 Figure 3.0 Height Limits – University Heights

### Appendix D Application and Neighborhood Workshop information

- Exhibit D-1 SW 5<sup>th</sup> Avenue & SW 7<sup>th</sup> Terrace Rezoning Application