

*Addendum to*  
*Land Use Change & Rezoning Justification Report*

*Hawes, Crapps, & Osbrach Properties*  
750 – 1100 Blocks of NE 39<sup>th</sup> Avenue, south side

**Prepared for Submittal to:**

City of Gainesville

**Prepared by:**

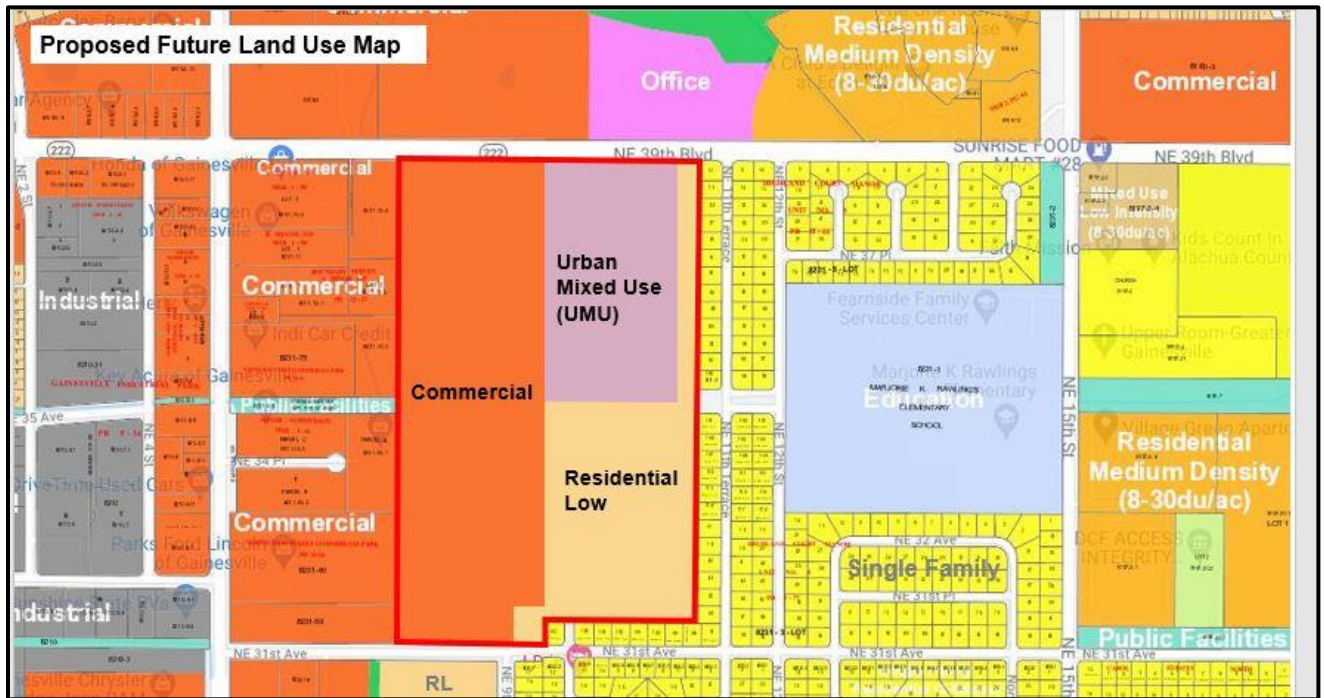
**eda** consultants, inc.

*June 21, 2021*

### Introduction and Background

On June 3, 2021, the City Commission heard presentations from City staff and the applicant concerning four parcels (08231-008-000, 08231-008-001, 08231-008-002, 08231-008-003) located in the 755-1100 block, south side of NE 39<sup>th</sup> Avenue that were the subject of a proposed future land use map amendment. The petition number associated with the public hearing is PB-20-152 LUC and the associated ordinance is 200886. The staff and Plan Board recommendations were for approval of a future land use map amendment to change the land use category from Planned Use District (PUD) to Commercial, Residential Medium Density, and Residential Low Density. The City Plan Board had approved the proposed change unanimously.

During that June 3, 2021 meeting, the City Commission expressed a desire to see a mixed-use component in the eastern area of the property, specifically where the Residential Medium Density had been proposed. The City Commission then voted 4-1 to request that the application be readvertised for a public hearing and transmittal hearing on July 15, 2021 with the following land uses: Commercial, Urban Mixed Use, and Residential Low. The map below illustrates the revised proposal that the City Commission approved for a transmittal hearing on July 15, 2021.



It should be noted that the areas proposed for the Commercial and Residential Low Future Land Use categories remain unchanged from the original proposal. The only change is the area proposed for Urban Mixed Use (UMU), which consists of 18.82 +/- acres of the total 83.79 acres.

This addendum to the original justification report for the proposed future land use map amendment updates the data and analysis to represent the revised information associated with the City Commission's decision to include Urban Mixed Use as part of the proposal.

Based on the revisions, the acreages for each of the proposed future land use categories are:

Commercial	42.22 +/- acres (unchanged)
Residential Low	22.75 +/- acres (unchanged)
Urban Mixed Use	18.82 +/- acres (changed from Residential Medium to UMU)

### **Updated Information Based on the City Commission Revision**

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The following is a description of the Urban Mixed Use future land use category from the City's Comprehensive Plan (Future Land Use Element Policy 4.1.1).

***Urban Mixed-Use (UMU): up to 60 units per acre; and up to 20 additional units per acre by Special Use Permit*** This land use category allows residential, office, retail and serve uses either as stand-alone uses or combined in a mixed-use development format. Light assembly, fabrication, and processing uses within fully enclosed structures shall be allowed in specified zoning districts as specially regulated by the Land Development Code. Structures in this category shall be oriented to the street and encouraged multi-modal transportation through the development design. Developments located within this category shall be scaled to fit the character of the area. Residential density shall be limited to 60 units per acre with provisions to add up to 20 additional units per acre by Special Use permit as specified in the land development regulations. Maximum building height shall range between 4 to 5 stories, depending upon the implementing zoning district, with provisions to add up to an additional 1 to 2 stories by a height bonus system as established in the Land Development Code. Land development regulations shall set the appropriate densities, the types of uses; design criteria; landscaping, and pedestrian/vehicular access. Public and private schools, places of religious assembly and community facilities are appropriate within this category.

The proposed Urban Mixed Use category allows double the residential density that would have been permitted under the Residential Medium Density (RM) proposal (60 units/acre by right in UMU versus 8 - 30 units/acre in RM).

As proposed by the City Commission, the Urban Mixed Use category area of the property will serve as a stepdown transition between the more intense Commercial land use category on the western side of the property and the Residential Low area on the eastern property boundary (which serves as a stepdown transition to the Single Family land use category to the east). The benefit of the change to Urban Mixed Use is to allow for a mix of residential and non-residential

uses to allow for additional retail and service uses in the neighboring areas. It will also increase density on that area to allow for more residential unit types along with retail/office uses.

Updated Level of Service Analysis

**Existing Land Use & Zoning**

For the approximately 83.79-acre parcel, the following table indicates the estimated allowable density and intensity that could be accomplished under the standard land use and zoning regulations, as permitted by right under the current future land use categories and zoning districts. It should be noted that only a portion of the site was designated for residential use (54.08 acres of the total 83.79 acres), and it was set at a maximum density of 8 dwelling units per acre. A similar restriction to 8 dwelling units/acre was specified in the PD ordinance. The Planned Use District ordinance limited the floor area ratio for the commercial and warehouse portions of the property (29.71 acres) to 0.30. Therefore, that is what will be used to calculate the non-residential square footage maximum for the development. The resulting calculation is 388,250 square feet maximum. The PD ordinance further limited the square footage to 200,000 square feet of business automotive use, 40,000 square feet of self-storage use, and 40,000 square feet of office use (for a total of 280,000 square feet).

<b>Site Area</b>	<b>Density Range</b>	<b>Minimum / Maximum Residential Units</b>
54.08 +/- acres PUD FLU Category	8 d.u./acre	0 - 432 Dwelling Units
54.08 +/- acres PD	8 d.u./acre	0 - 432 Dwelling Units

**Proposed FLU Designations**

The proposed maximum future development scenario for the property is 42.22 +/- Commercial development; 18.82 acres of Urban Mixed Use development; and 22.75 acres of Residential Low development. The following table illustrates this development scenario with the estimated allowable residential density by right that could be accomplished under the proposed Urban Mixed Use and Residential Low land use categories. There is no FAR stated in the City’s Comprehensive Plan for the Commercial land use category. Therefore, for comparative purposes, the 0.3 FAR that was used for the existing PUD land use scenario is used for the proposed land use scenario.

<b>Site Area</b>	<b>Density or Intensity Range</b>	<b>Minimum / Maximum Development</b>
18.82 +/- acres UMU FLU Category	Up to 60 d.u./acre	0 - 1,129 Dwelling Units
22.75 +/- acres RL FLU Category	Up to 15 d.u./acre	0 – 341 Dwelling Units

**Net Change between FLU Designations (Maximums)**

<b>Maximum Residential Development Scenario Existing FLU (54.08 acres)</b>	<b>Maximum Residential Development Scenario Proposed FLU (40.84 acres)</b>	<b>Net Change in Maximum Residential Development Scenario  (Existing vs. Proposed)</b>
432 Dwelling Units	1,470 Dwelling Units	+1,038

<b>Maximum Non-Residential Development Scenario Existing FLU (29.71 acres)</b>	<b>Maximum Non-Residential Development Scenario Proposed FLU &amp; Zoning  (42.22 +/- acres)</b>	<b>Net Change in Maximum Non-Residential Development Scenario  (Existing vs. Proposed)</b>
388,350 square feet	551,731 square feet	+ 163,381 square feet

**a. Transportation**

The property is located in Transportation Mobility Program Area (TMPA) Zone A. Development within Zone A is required to meet applicable requirements within Policies 10.1.3 and 10.1.4 of the Comprehensive Plan Transportation Mobility Element. The trip generation for the proposed change (based on the maximum development land use scenario) is based on the net increase in the number of trips from what exists under the current Planned Use District future land use category to what may exist under the proposed Commercial, Urban Mixed Use, and Residential Low categories. The trip generation analysis for net, new trips is presented below:

**Trip Generation (Existing and Proposed FLU)**

The table below indicates the estimated trip generation for the proposed maximum 1,470 multi-family dwelling unit development, and 42.22 +/- acres of non-residential use (this assumes a 0.3 FAR for the proposed commercial acreage). That results in 551,731 maximum square feet of proposed commercial development  $((42.22 \times 0.3) \times 43,560 = 551,731$  square feet). The trip generation for the Commercial land use area portion of the site will use ITE Land use 820 Shopping Center to calculate the maximum development scenario.

**Potential Net Trip Generation Table**

<b>ITE Land Use</b>	<b>Units</b>	<b>Daily Rate</b>	<b>Daily Trips</b>	<b>PM Peak Rate</b>	<b>PM Trips</b>
Proposed: Multifamily (Low Rise) ITE 220	1,470	7.32	10,760	0.56	823
Existing: Single-family ITE 210	432	9.44	4,078	0.99	428
<b>Net New Residential Trip Generation</b>	<b>+1,038</b>		<b>+6,682</b>		<b>+395</b>
Existing: Shopping Center ITE 820	388,350 SF	37.73/1,000 SF	14,660	3.81/1,000 SF	1,480
Proposed: Shopping Center ITE 820	551,731 SF	37.75/1,000 SF	20,828	3.81/1,000 SF	2,102
<b>Net New Non-residential Trip Generation</b>	<b>163,381</b>		<b>+6,168</b>		<b>+622</b>
<b>Total Net New Trip Generation</b>			<b>+12,850</b>		<b>+1,017</b>

Source: ITE Trip Generation 10<sup>th</sup> Edition

As indicated in the table above, the proposed land use change in the maximum development scenario could result in an anticipated increase of 1,017 PM Peak hour trips of adjacent street traffic and 12,850 average daily trips.

Ultimately, when future development occurs at the site, the trips associated with the proposed development at the time of application will be used to determine how the development will meet the requirements in TMPA Zone A. Because this site is located outside of the UF Context Area, there will not be any required transit payments for any multi-family development on the parcel.

***b. Potable Water & Wastewater***

The site can be served by both potable water and wastewater from Gainesville Regional Utilities (GRU). There are existing potable water lines in the surrounding streets (NE 39<sup>th</sup> Avenue and NE 31<sup>st</sup> Avenue), and there is an existing wastewater line connection that can be made from the rear property lines of the single-family residential area that abuts to the east and south. According to GRU, development within this area can be served by these existing utilities with adequate capacity. On-site provision of wastewater service to the site will require developer-funded improvements, which will include the extension of these lines into the site area.

***c. Solid Waste***

The proposed change in future land use and zoning will not cause the City's solid waste system to operate below the adopted LOS. Solid waste will not exceed Gainesville's established Level of Service Standard of 0.655 tons of solid waste per capita per year disposed (3.6 pounds solid waste per capita per day disposed). There is adequate capacity to meet the required demand from any proposed development.

***d. Recreation***

The City of Gainesville is currently meeting all LOS standards for recreation. The proposed land use and zoning change will not significantly affect the required LOS. As future residential development occurs, each residential development will be required to demonstrate compliance with the adopted recreation Level of Service standards.

***e. Mass Transit***

Transit services are currently in place to serve the site. The property has access to Regional Transit System (RTS) routes 15 and 39. It is probable that RTS would add a stop in front of the development along NE 39<sup>th</sup> Avenue when future development occurs at the site.

***f. Public Schools***

A Public School Student Generation Calculation Form has been submitted as part of this application package. The potential units used on the form are based on the maximum development scenario listed for the proposed future land use and zoning. The scenario indicated 1,470 multi-family units on the 18.82 +/- acres with Urban Mixed Use and 22.75 +/- acres with Residential Low land use categories, with the remaining 42.22 +/- acres in non-residential use. In addition, any proposed development at a future time would be required to provide a Public School Student Generation Form based on a proposed unit count at that time.

## Analysis for Changes to the Future Land Use Map

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Future Land Use Element Policy 4.1.3 sets the 11 review criteria for proposed changes to the Future Land Use Map. Each of the 11 criteria are listed below and responses are provided:

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

#### **Response:**

The proposed Commercial, Urban Mixed Use, and Residential Low future land use categories are consistent with the City's Comprehensive Plan. The following objectives and policies are applicable to the proposed designations:

#### *FLU Policy 1.2.3*

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

**Consistency:** The proposed changes to the future land use map for the subject property will allow for a mix of commercial, mixed-use, and multi-family development on the site. The Commercial and Urban Mixed Use portions of the property may serve the surrounding residential neighborhoods. The subject property is on a principal arterial (NE 39<sup>th</sup> Avenue; SR 222) that is appropriate for mixed-use development due to vehicular access, transit availability, existing bike lanes, and existing sidewalks. It is also appropriate because this is an infill situation where centralized utilities and other public infrastructure are available to serve future development on the site.

#### *Objective 1.5*

*Discourage the proliferation of urban sprawl.*

**Consistency:** The proposed land use change is on property that is surrounded on the east, south, and west by existing development that has been in place since the 1960s and later time periods. In addition, the surrounding area is served by existing utilities and infrastructure such as roads, transit service, sidewalks, and bike lanes. As an infill area, future development on the property would discourage urban sprawl.

#### *Objective 4.1*

*The City shall establish land use designations that allow sufficient acreage for residential, commercial, mixed use, office, industrial, education, agricultural, recreation, conservation, public facility and institutional uses at appropriate locations to meet the needs of the proposed population and that 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.*

**Consistency:** The proposed Commercial, Urban Mixed Use, and Residential Low land use categories for the subject property will directly contribute to the City by providing land area appropriate for infill development that utilizes existing infrastructure within close proximity to residential areas in the northeast needing goods and services. The surrounding areas east and south consist of compatible residential properties that were



developed decades ago. To the west are existing automobile dealerships that were developed during the past 10-20 years. The locations of the future land use designations on the property are in keeping with the surrounding character.

2. *Compatibility and surrounding land uses*

**Response:** The subject property is presently undeveloped but does have a future land use category designation (PUD) that permits both commercial and residential development on the property. Abutting property to the south and east contains existing single-family development. To the south across NE 31<sup>st</sup> Avenue is property designated Residential Low. However, that property is in use as wetland mitigation and will not be developed for residential use. Across NE 39<sup>th</sup> Avenue to the north there is vacant land with Commercial and Office land use designations. Abutting property to the west contains existing automobile dealerships and a bank with the Commercial future land use designation.

An analysis of the existing land use pattern indicates that the proposed Commercial land use on the western side of the property will not negatively impact the nature of the existing development pattern in the area since it abuts existing Commercial land use. The proposed Urban Mixed Use category area will serve as a stepdown transition between the more intense Commercial land use on the western portion of the property and the Residential Low proposed on the eastern border of the property. The Residential Low land use category will abut existing single-family development. The existing development pattern and land use & zoning mapping in the area is primarily residential to the south and east of the parcel. To the north is Commercial and Office designated vacant land that is separated by a 4-lane divided State highway (NE 39<sup>th</sup> Avenue). Any proposed future non-residential uses on the Commercial-designated portion of the site will be required to be buffered from surrounding residential uses by the landscape buffer requirements in the Land Development Code.

3. *Environmental impacts and constraints*

**Response:** See the Environmental Resources Assessment that was submitted with this application for a discussion of environmental impacts and constraints. Any future development at the site will be required to protect regulated wetlands and wetland buffer areas.

4. *Support for urban infill and/or redevelopment*

**Response:** The subject property is within the urbanized portion of the City of Gainesville. Urban land uses, centralized utilities, transit service, bike lanes, sidewalks, and public roadways are located adjacent to the project area. Due to its location and proximity to necessary public facilities, the property is suitable for urban infill development. The property has been vacant for many years. A change to the Commercial, Urban Mixed Use, and Residential Low future land use categories will encourage infill development to occur at the site. This is necessary because the existing PUD land use designation has

lapsed on the property due to the age of the ordinance. As indicated earlier, the subject property is characteristic of urban infill because it is a vacant parcel surrounded by developments to the east, south, and west that occurred as early as the 1960s.

*5. Impacts on affordable housing*

**Response:** The proposed land use change to include Urban Mixed Use and Residential Low will allow a greater number of residential units on the property than previously allowed under the PUD/PD land use and zoning. The maximum number of dwelling units for the PUD/PD would have been 432 at 8 dwelling units/acre. The proposed Urban Mixed Use and Residential Low land use categories will allow up to 1,470 multi-family dwelling units. This is an increase of 1,038 residential units. The additional density on the site and addition of multi-family units can result in more affordable housing opportunities by lowering the unit and land costs associated with construction.

*6. Impacts on the transportation system*

**Response:** No development activity is proposed as part of the proposed land use and zoning change. However, an analysis of the net increase in trips was provided in the Responses to Application Questions section of this report (see above). That analysis noted that the net, new average daily trips is anticipated to be 12,850 at a maximum development scenario and an increase of 1,017 p.m. peak hour trips of adjacent street traffic. Any future development on the site will require development plan review by the City. At that time, a more detailed traffic analysis with the exact development program would occur which must demonstrate compliance with the applicable transportation mobility program in effect at that time. The site is located in Zone A of the Transportation Mobility Program Area. Any development at the site will be required to meet the applicable criteria stated in the Transportation Mobility Element for Zone A.

Currently the site is served by RTS Routes 15 and 39. There are existing bike lane facilities in NE 39<sup>th</sup> Avenue (both sides), and sidewalks are available on NE 39<sup>th</sup> Avenue (both sides) and on the south side of NE 31<sup>st</sup> Avenue.

*7. An analysis of the availability of facilities and services*

**Response:** The property is located in the urbanized portion of Gainesville with available potable water, wastewater, and electric services. The site is accessed by roadways that have adequate capacity to serve future development on-site. At the time of future development on the site, there will be a requirement to meet the TMPA Zone A standards. There is existing transit service to the site. Bike lanes are available on both sides of NE 39<sup>th</sup> Avenue. Sidewalks to serve and connect future development on the site are available on NE 39<sup>th</sup> Avenue and on the south side of NE 31<sup>st</sup> Avenue. Future development on the southern portion of the site will be required to provide sidewalk along the property frontage along the north side of NE 31<sup>st</sup> Avenue. Please refer to the section within this report titled 'Level of Service Standards' for additional details. The applicant has submitted a Public School Student Generation Calculation Form as part of the land use and zoning change application process.

8. *Need for the additional acreage in the proposed future land use category*

**Response:** The response to this question is based on a comparison of the land uses under the existing PUD land use versus what is being proposed by this application. The existing PUD future land use allowed for 29.71 acres of Commercial/Warehousing use and 54.08 acres of Single-family residential use. The proposal is for 42.22 +/- acres of Commercial land use (an increase of 12.51 acres), 18.82 +/- acres of Urban Mixed Use, and 22.75 +/- acres of Residential Low. Given the increased unit density allowed by the Urban Mixed Use land use category, there will not be a reduction in residential units on the site, and in fact, there is an increase of 1,038 residential units allowed at the site under the proposed land use changes. Given the existing acreage allowances of the current PUD on the site and the slight addition of acreage to the Commercial land use category (12.51 more than allowed under the PUD), this is a minor change in the overall Commercial acreage for the City of Gainesville. This is an infill parcel located in Northeast Gainesville that, with the proposed changes, can provide for the commercial, mixed use, and residential needs of the City.

9. *Discouragement of urban sprawl as defined in Section 163.3164, F.S., and consistent with the requirements of Subsection 163.3177(6)(a)9., F.S.*

**Response:** The proposed change on the future land use map does not promote urban sprawl as defined in Section 163.3164, F.S. In fact, the proposed amendment discourages urban sprawl by facilitating development on an urban infill site with existing infrastructure. The site is located in the urban services area with existing development located south, east, and west when examining the existing land use patterns in the immediate area. The use of this land as proposed is considered infill in nature and will allow for neighborhood-serving non-residential uses and residential uses in a variety of densities and sizes within close proximity to existing residential units.

Section 163.3177(6)(a)9.b., F.S. provides criteria to determine whether a land use amendment discourages the proliferation of urban sprawl. These criteria are listed below with responses.

*b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:*

*(1) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.*

**Response:** Any future development will be required to protect natural resources according to the stringent environmental protection standards found in the City of Gainesville Land Development Code, including LDC Chapter 30, Article VIII, Division 3 (Environmental Overlays) and Division 4 (Regulated Natural and Archaeological Resources). The accompanying Environmental Resource Assessment indicates that there

are some environmental constraints on the site. Those natural resources on the site will be protected by Code requirements at the point when future development occurs. The site is surrounded by existing development that has existed since the 1960s.

*(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.*

**Response:** The site is in an area surrounded by uses served by existing public facilities and services (including roads, transit, sidewalks, and centralized utilities) and therefore, can be served by these services in an efficient manner. The property is also located near Rawlings Elementary School and The One Room School House.

*(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.*

**Response:** The proposed land use change allows for a mix of non-residential and residential uses at a density that will promote compact development. There is existing transit service via RTS Routes 15 and 39. There are existing bike lanes on both sides of NE 39<sup>th</sup> Avenue. Public sidewalks are on both sides of NE 39<sup>th</sup> Avenue and along the south side of NE 31<sup>st</sup> Avenue. Future development on the southern portion of the site will be required to provide a sidewalk on the north side of NE 31<sup>st</sup> Avenue along the property frontage. The Commercial, Urban Mixed Use, and Residential Low land use categories allow for a mix of residential and non-residential uses that are connected by existing sidewalks along NE 39<sup>th</sup> Avenue. Any future development on the property will require internal connectivity between proposed residential and non-residential uses.

*(IV) Promotes conservation of water and energy.*

**Response:** The project site is in an area surrounded by uses served by existing public facilities and services, thereby reducing sprawl and wasteful allocation of resources, including water use via wells and non-centralized systems. All future development on the project site will be required to connect to centralized potable water and wastewater public facilities. The availability of transit service, bike lanes, and existing sidewalks also reduces transportation energy costs. Because the site is vacant, new construction on the site will be required to meet the current energy efficiency standards.

*(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.*

**Response:** The proposed land use change does not include any existing lands designated as Agricultural on the future land use map. Thus, there is no reduction in agricultural land as a result of this proposed future land use amendment.

*(VI) Preserves open space and natural lands and provides for public open space and recreation needs.*

**Response:** The subject property currently is not in a Conservation or public lands category (it is in the PUD category). The site is in an urban area. Therefore, there is no reduction in current open space or recreational area that will occur as a result of the proposed future land use change. Any future development on the site will be required to protect natural resources according to the stringent environmental protection standards found in the City of Gainesville Land Development Code. The Flatwoods Conservation Area is located approximately ½ mile from the eastern property line of the subject property, and it will provide public open space opportunities for future residents on the subject property.

*(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.*

**Response:** The proposed change to the future land use map to Conservation, Urban Mixed Use, and Residential Low allows for a mix of non-residential and residential uses. The proposed Commercial and UMU portions of the site can provide goods and services for the neighboring residential properties. And, the Urban Mixed Use and Residential Low portions of the subject property can provide support the non-residential uses that may occur on the site.

*(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.*

**Response:** The site is currently in an urban area served by existing public facilities and services, so it does not constitute sprawl. The density allowed within Urban Mixed Use portion is 60 units/acre, which is well above what is considered to be a transit-supportive density. The Residential Low land use category allows up to 15 dwelling units per acre, which is also considered transit supportive. Transit is already available (2 RTS routes: 15 and 39) to serve any future development at the site.

*10. Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy; and*

**Response:** The proposed land use change will increase the development potential of the site by facilitating non-residential development and residential development in Northeast Gainesville. As previously stated, the site lies within the urban services area, which the Comprehensive Plan promotes for urban infill development. Any future development of this property with private capital investment will lead directly to job creation and an increased tax base for the City, which are economic development goals for the City.

*11. Need to modify land use categories and development patterns within antiquated subdivisions as defined in Section 163.3164, F.S.*

**Response: The subject property does not include any antiquated subdivisions as defined in Section 163.3164, F.S. Therefore, this provision is not applicable.**