

LEGISLATIVE #

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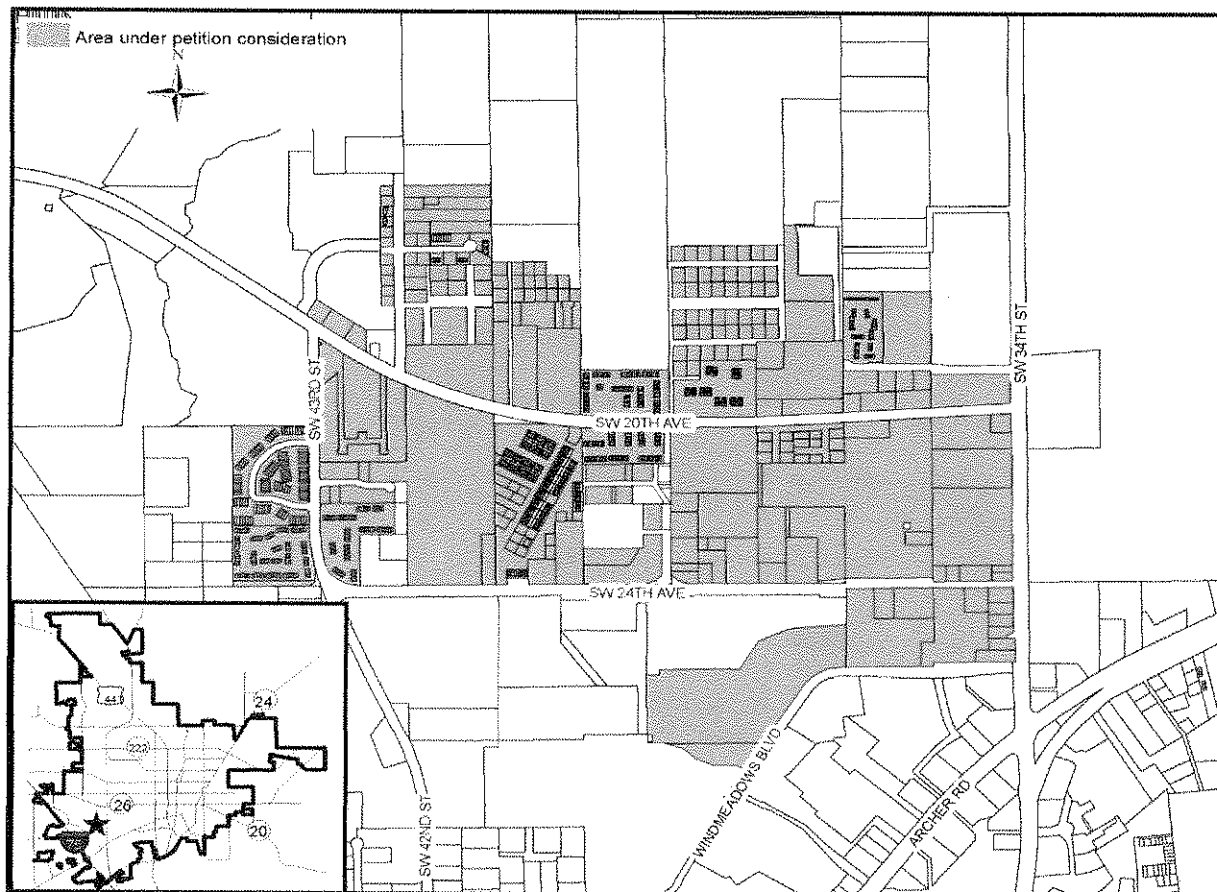
TO: City Plan Board
FROM: Planning & Development Services Staff

Item Number: 2
DATE: July 26, 2012
revised: August 14, 2012

SUBJECT: Petition PB-12-73ZON. City of Gainesville. Urban Village Rezoning. Rezone annexed properties from multiple Alachua County zoning districts (Business and professional (BP); Retail sales and services (BR); Planned development (PD); Single family low density (R-1a & F-1c); Multiple family medium density (R-2); Multiple family, medium-high density (R-2a); Multiple family, high density (R-3); Manufactured mobile home park (RM)) to City of Gainesville UMU-2: 10-100 units/acre; and up to an additional 25 units/acre by special use permit urban mixed use district. Located generally east of Interstate 75, west of SW 34th Street and north and south of SW 20th Avenue.

Recommendation

Staff recommends approval of Petition PB-12-73ZON.



Description

This petition proposes the rezoning of certain properties in the Urban Village from various Alachua County zoning districts to the City of Gainesville Urban Mixed Use-2 district (UMU-2: 10-100 units/acre; and up to an additional 25 units/acre by special use permit urban mixed use district).

Most of the properties under consideration were annexed into the City of Gainesville in June 2009. Some additional parcels that are included were annexed in 2008 in association with another annexation. The City adopted land use designations for these properties on November 3, 2011 (Ordinance 100698). Subsequently, the City amended the text of the Urban Mixed Use-2 (UMU-2) zoning district to accommodate the Urban Village properties (Ordinance 110642, adopted June 7, 2012). This area falls within existing Transportation Concurrency Exception Area (TCEA) Zone M as shown in the Concurrency Management Element of the Comprehensive Plan.

The area proposed for rezoning consists of approximately 313 acres in southwest Gainesville in the area of SW 20th Avenue and SW 24th Avenue, west of SW 34th Street and east of Interstate 75 (see map on p. 1). An aerial map is provided in Exhibit A-1.

The primary east-west corridors are SW 20th Avenue and SW 24th Avenue (each two lanes). A private road, Windmeadows Boulevard, also serves as an east-west corridor. The north-south corridors are SW 34th Street (6 lanes), SW 38th Terrace (2 lanes), and SW 43rd Street (2 lanes).

Existing development in this area is primarily multi-family, with existing developed densities generally ranging between 8.5 to 38 units per acre (average = 17.3 units/acre). Two areas of commercial/retail use exist along SW 34th Street: one south of SW 20th Avenue and one north of Windmeadows Boulevard. An additional small commercial/retail area is located on SW 20th Avenue, north of the intersection with SW 43rd Street. A business professional area with office/commercial uses exists on SW 34th Street immediately north of SW 20th Avenue. There are four existing Planned Developments in the area: Venture Apartments, Hickory Hills, Mill Run, and Southwest Villas. All of these Planned Developments (PDs) are proposed to go to the UMU-2 zoning category since most of the PDs are dated and do not meet City of Gainesville Planned Development district requirements. An existing nursing home, Signature Healthcare of Gainesville, is located within the area on SW 20th Avenue, and there is one place of religious assembly.

The existing Alachua County zoning for the area is shown in Exhibit A-2. The proposed zoning is shown in Exhibit A-3, which also illustrates the zoning districts on surrounding properties.

The current Alachua County zoning categories in the Urban Village area allow the following densities or uses:

R-1a	1-4 units/acre	Single family low density
R-1c	1-4 units/acre	Single family low density
R-2	4-8 units/acre	Multi-family medium density
R-2a	8-14 units/acre	Multi-family medium/high density
R-3	14-24 units/acre	Multi-family high density

RM	8 units/acre	Manufactured/mobile homes
BP	Commercial/office uses	
BR	Commercial uses	

The area under consideration is 86.15% developed. Residential uses (primarily multi-family) make up 78.4% of the total area. Of the developed area, 91% is in residential use. The 43.4 unimproved acres in the Urban Village (13.9%) includes 6.22 acres in active agricultural use (which may eventually be converted to other uses if redeveloped).

The existing types of development in the Urban Village are as follows:

Type of Development	Acres	Percent of total
Improved Residential	245.23	78.4%
Improved Commercial	18.00	5.75%
Nursing home	5.25	1.7%
Place of religious assembly	1.01	0.3%
Agriculture	6.22	2.0%
Vacant developable land	37.2	11.9%
Total	312.9	

The proposed UMU-2 zoning is fully compatible with the Urban Mixed Use-2 land use category designation on these properties. The proposed UMU-2 zoning was chosen to implement the Future Land Use UMU-2 category and to promote the redevelopment vision for this area as Gainesville's Urban Village by increasing densities and allowing a broader mix of uses. The proposed UMU-2 zoning allows 10 to 100 units/acre by right with an additional 25 dwelling units/acre allowed by Special Use Permit. Future Land Use Element Policy 4.3.7.b.2. requires that new, single-use residential use develop at a minimum density of 20 units/acre in the Urban Village. The UMU-2 zoning district allows non-residential and mixed uses (including uses such as Research and development in the physical, engineering and life sciences; Hardware stores; Food Stores; Finance, insurance and real estate offices; Hotels and motels; Health services; and Legal services). In contrast, the highest density zoning allowed by the current Alachua County zoning is 14-24 units/acre for those properties designated R-3 (Multiple family high density). The existing Alachua County zoning generally does not allow for a mix of residential and non-residential uses, which is part of the future vision for the Urban Village.

The Urban Village area is generally surrounded on all sides by existing urban development and is served by urban services such as potable water, wastewater, and solid waste. Newer developments have on-site stormwater management systems. Much of the area to the north is environmentally sensitive and was designated Conservation land use and zoning in separate petitions/ordinances.

Petition History

Properties in this zoning petition were originally part of a pair of petitions (PZ-09-145LUC and PZ-09-146ZON) that included a large area of southwest Gainesville annexed from 2005 through

2008. These petitions included the area known as the Urban Village, a redevelopment concept that provides high-density student-oriented housing in proximity to the University of Florida. The Urban Village report (*Urban Village: Status Report on Implementation Tasks*) was approved by the Metropolitan Transportation Planning Organization (MTPO) in April 2008.

The original "Southwest Annexation" petitions were presented to the Plan Board on December 7, 2009 and to the City Commission on January 21, 2010. The City Commission voted to continue the petitions to allow further exploration of implementation options for the Urban Village portion of the petition. Per the requirements of Sec. 30-347.8 of the Land Development Code, "If a petition or recommendation for a change or amendment is not acted upon finally by the city commission within six months of the date upon which the report of the city plan board is filed with the city commission, the petition shall be deemed denied without prejudice. However, no petition shall be deemed denied if the city commission has continued its consideration to a date certain, or has stayed action on the petition by enactment of a moratorium ordinance." Since no action was taken during the 6-month time limit, the original land use petition (PZ-09-145LUC) and associated rezoning petition (PZ-09-146ZON) were deemed denied without prejudice.

As indicated earlier, the future land use amendments associated with these properties were adopted under Ordinance 100698 on November 3, 2011. In order to place the UMU-2 zoning on these properties, it was necessary to amend the UMU-2 zoning district to include the Urban Village area. That has been accomplished (Ordinance 110642, adopted June 7, 2012), and therefore, this petition is the final step to place the UMU-2 zoning classification on each of these properties.

History of the Urban Village

Development of the Urban Village concept has been ongoing for a number of years. The goal was to create a unique, high-density district in close proximity to the University of Florida. Upon adoption of the Urban Village land use plan in 2008, the MTPO directed the City and County to implement a selected land use scenario. This scenario used a phased approach and identified some areas for 24-40 units per acre and remaining areas for 40-150 units per acre. In the period following the MTPO recommendation, the City annexed all of the properties by June 2009.

Since MTPO adoption of this scenario, the future land use change to Urban Mixed Use-2 has been accomplished. The proposed zoning change is the final implementation stage, and accomplishes the goal of the Urban Village in one phase instead of two.

Key Issues

The key issues in this rezoning are:

- City zoning districts must be applied to annexed lands per the requirements of State law and the Land Development Code. Lands within the subject area of this petition were annexed as part of the Butler Plaza annexation in 2008 and the Southwest Annexation referendum in 2009.
- In April 2008, the Metropolitan Transportation Planning Organization (MTPO) directed City and County planning staff to implement a selected land use scenario that included densities ranging from 24 to 150 units per acre. The already-adopted land use change and this proposed rezoning fulfill the MTPO request.

PB-12-73ZON

July 26, 2012 (revised August 14, 2012 per Plan Board recommendation)

- The Butler Plaza Planned Development (PD) is within the larger context area addressed by this petition. This PD includes commercial/office development north of the existing Butler Plaza development and south of SW 24th Avenue. This petition addresses properties across SW 24th Avenue to the north of the Butler Plaza PD, as well as abutting Windmeadows Apartments, which is part of this petition. The proposed mixed-use zoning is intended to complement the character of proposed commercial uses in the Butler Plaza PD and provide residential support.

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.

Conformance with the Comprehensive Plan

The proposed UMU-2 zoning district is fully consistent with the existing UMU-2 land use category on the properties. The rezoning is also consistent with the overall goals, objectives, and policies of the adopted comprehensive plan.

Future Land Use Element

- 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.

Conformance with the Land Development Code

The proposed rezoning to UMU-2 will implement the existing UMU-2 land use category on the properties. The Land Development Code UMU-2 zoning district was updated to accommodate the Urban Village properties.

Changed Conditions

The properties were annexed in 2008 and 2009 and must be brought under the City's zoning regulations. In addition, the newly revised UMU-2 zoning district regulations are appropriate to provide incentives for the redevelopment of the area consistent with the Urban Village vision.

Compatibility

The mix of uses surrounding the Urban Village is very diverse, and includes Hogtown Creek and undeveloped conservation areas to the north and west, vacant and developed multi-family lands to the west, the commercially-oriented Butler Plaza PD to the south, light industrial to the southwest, and University-owned lands to the east and northeast. Uses also include Forest Park and the fire station, which provide recreation and fire service support for the future development of the UMU-2 zoned properties.

The UMU-2 zoning complements the surrounding uses in several ways. First, it provides the opportunity for residential development that will support nearby commercial development at Butler Plaza and the Oaks Mall. The high residential densities are also anticipated to concentrate future development in a compact area that will reduce sprawl and support the transit system. UMU-2 also allows for innovation economy and high-tech uses in close proximity to the University of Florida.

Impacts on Affordable Housing

The proposed City UMU-2 land use category represents a significant increase in allowable densities over the existing County designations, creating an increased opportunity for affordable housing units.

Environmental impacts and constraints

John Hendrix, the City's Environmental Coordinator, provided the following environmental assessment of the entire Urban Village area based on an October 12, 2011 review (note the area Mr. Hendrix studied is a larger area than what is under consideration in this zoning petition).

Study Area and Scope

The Urban Village area is approximately 356 acres of mixed use urban land situated along SW 20th Avenue in southwest Gainesville. The study area extends from SW 34th Street on the east, to the vicinity of SW 43rd Street on the west, and is generally bounded on the north by the Hogtown Creek floodway/wetlands and on the south by the Butler Plaza/Archer Road commercial area. An environmental assessment was performed to determine whether any properties within the Urban Village area might contain or be in close proximity to any natural resources or resource areas regulated under *LDC 30-301 Regulated surface waters and wetlands*, or the proposed Natural and Archaeological Resources (NAR) regulations. For the purpose of evaluating the applicability of the proposed NAR regulations, parcel groups in single ownership and greater than 5 acres in size were examined using GIS analysis and field truthing, as needed. These 5+ acre parcel groups include developed and undeveloped properties.

Surface Waters/Wetlands

The northern side of the study area skirts the Hogtown Creek surface water/wetland area, which is regulated pursuant to *LDC 30-301 Regulated surface waters and wetlands*. Floodplain wetland areas of Hogtown Creek are present below elevations of approximately +61 feet MSL in this area, and the associated 10-year flood channel extends up to elevation +61.7 feet MSL. This forested creek/wetland system supports a high quality mixed hardwood swamp community. The creek swamp is bordered by a mature upland/mixed forest of variable width, with some existing residential housing constructed within 150 feet of the wetland on the east and west ends of the northern limits of the study area. This band of mesic upland forest is dominated by sand live

oak, hickory, red maple, sweet gum, and pines, with an understory of native shrubs and groundcover, and provides an excellent natural buffer for Hogtown Creek and its diverse wetland community.

Of the parcel groups identified for study, the only property found to overlap or abut the regulated surface water/wetlands resource areas described above is the northernmost double row of lots within the Garrison SW 17th Avenue, LLC parcel group and the Burch property (Tax Parcel 06724-000-000). These undeveloped lots and associated platted road extend into the edge of the Hogtown Creek swamp and its 10-year floodway. In order to meet the requirements of LDC 30-301, full avoidance of the creek/wetland area and observance of an average 50-foot-wide buffer would be required, which would prohibit most development use within the wetlands and immediately adjacent uplands in this northern area of the Garrison property. A larger portion of the Burch property is impacted by both wetlands and the 10-year flood channel. In addition, the 10-year floodway extends up to the approximate +62 foot elevation, and includes all of the Hogtown Creek wetland and part of the wetland buffer area. Conservation zoning of the area of the parcel within the 10-year floodway is appropriate to limit and prohibit development activities consistent with Policy 3.1.4 of the Future Land Use Element and *LDC 30-286 Prohibited Uses*, which provide that within the flood channel: "No permanent structures or fills shall be allowed except structures and fills designed for flood prevention and control, streets, bridges and sanitary sewer lift stations and utility lines."

Natural and Archaeological Resources

The only parcel in the area within the boundary defining the entire Urban Village Area is identified as Strategic Ecosystem in the *Alachua County Ecological Inventory Project (KBN/Golder Associates) 1996* study is the Burch property. The northern-most portion of the Burch property falls within the Strategic Ecosystem unit referred to as Hogtown Prairie. The 1996 *Ecological Inventory* assesses this area of the lower Hogtown Creek floodplain as a very high quality natural resource area. Because only a portion of one parcel in the Urban Village area falls within this Strategic Ecosystem unit, only that property would be subject to regulation under the Strategic Ecosystem provisions of the proposed Natural and Archaeological Resources (NAR) regulations. No significant natural communities or geological resource features were found within the Urban Village area. There are no records of listed species in the study area. Any vacant or inactively used properties within this largely developed urban area which contain remnants of natural habitat and may have potential for supporting listed species would be located and evaluated through the development review process to meet any applicable listed species protection or management standards provided for under the proposed NAR regulations.

Approximately eight (8) archaeological sites are documented within or immediately adjacent to the Urban Village Area boundary. Investigations and surveys have found lithic scatter, ceramic and other artifact fragments of several cultural periods dating back to the Archaic Period (8500 B.C. to 1000 B.C.). These sites are generally characterized as prehistoric campsites and quarries. To date, none of these areas have been found to be eligible for listing in the National Register of Historic Places. Archaeological monitoring of land clearing or other grading and earth work may be required as a condition of development approval for projects involving future uses and development of the properties which overlap these archaeological sites.

PB-12-73ZON

July 26, 2012 (revised August 14, 2012 per Plan Board recommendation)

Please see Exhibits A-4, A-5, and A-6 for maps of the pertinent environmental features affecting this area. Exhibit A-4 illustrates the wetlands. Exhibit A-5 shows the 10-year flood channel impacting Tax Parcel 06724-000-000. Exhibit A-6 shows the Strategic Ecosystem in the area.

Infill and Redevelopment

The intent of the Urban Village is to encourage redevelopment of the low- to medium-density residential properties along the SW 20th Avenue and SW 24th Avenue corridors. This area is seen as a key location for high residential density and mix of uses that will serve the University and surrounding commercial developments.

Furthermore, the “village” concept implies a level of self-sufficiency for this area. The proposed UMU-2 zoning will provide the opportunity for retail, office, residential, and recreational uses, supported by high-density residential development.

Transportation

Primary roads serving the subject area include SW 34th Street, SW 20th Avenue, SW 42nd/43rd Street, and SW 24th Avenue. Windmeadows Boulevard, a private street, also serves the area.

Several roadway projects have recently been completed in this area on roads that provide access to the Urban Village: one project expanded the northbound left turn lane off Archer Road onto SW 40th Boulevard from one to two lanes; another expanded the eastbound right turn lane from SW 43rd Street onto SW 20th Avenue; and some Archer Road medians are being reconfigured to improve safety. In addition, a smart bus bay with bus shelter has been installed along SW 20th Avenue near SW 38th Terrace, and a new bus shelter has been installed near the corner of SW 20th Avenue and SW 43rd Street as part of the roadway projects. This project includes pull-off lanes for busses and pedestrian-actuated crossing signals.

The subject area is served by the following RTS routes:

Area Served	RTS Route number	Peak weekday headways
SW 20 th Avenue	20	10
SW 20 th Avenue	21	10
SW 38 th Terrace, SW 20 th Avenue, SW 24 th Avenue, SW 43 rd Street	22	50
SW 34 th Street	34	20
SW 34 th Street, SW 20 th Avenue, SW 24 th Avenue	28	23
SW 43 rd Street	62	60

Transit in this area includes weekday, weekend, and “Later Gator” after-hours service. The SW 20th Avenue corridor was studied as part of the Bus Rapid Transit (BRT) feasibility study (concluded in March 2010). This corridor was highly ranked and is currently the recommended route for BRT through this area of Gainesville. The next step in this process will be the Alternatives Analysis, which will commence soon.

PB-12-73ZON
July 26, 2012 (revised August 14, 2012 per Plan Board recommendation)

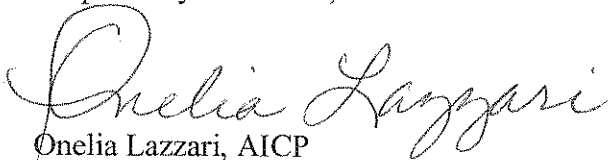
The adopted Butler Plaza Planned Development contains a commitment to fund and build a transit transfer station and 50-car park-and-ride facility. This station will be located within the PD and will assist transit mobility in the Urban Village area.

Sidewalks are sporadic in the subject area, but are found on SW 34th Street, SW 24th Avenue, and one side of SW 20th Avenue. Street-oriented bicycle facilities are found on all the major roads in the area.

All parcels are located in TCEA Zone M, which is defined in Policy 1.1.13 of the Concurrency Management Element. This policy establishes a list of mobility needs and requires proportionate fair share payments for development and redevelopment generating new trips.

This area is also in the University of Florida context area. Concurrency Management Element Policy 1.1.14 requires support for transit capital costs.

Respectfully submitted,

A handwritten signature in cursive script that reads "Onelia Lazzari". The signature is written in black ink and is positioned above the printed name and title.

Onelia Lazzari, AICP
Principal Planner

PB-12-73ZON
 July 26, 2012 (revised August 14, 2012 per Plan Board recommendation)

Petition Information

Applicant Information	City Plan Board
Request	Rezone from multiple Alachua County designations to City of Gainesville UMU-2
Existing Land Use	City UMU-2
Existing Zoning	Alachua County: BP, BR, PD, R-1a, R-1c, R-2, R-2a, R-3, & RM
Purpose of Request	To change from Alachua County to City zoning districts
Location	See map series in Exhibit A
Existing Uses	Residential, commercial, office, place of religious assembly, nursing home, agriculture, vacant land
Surrounding Uses	<p>North: City- and privately-owned conservation land; UF parking;</p> <p>South: Butler Plaza Planned Development; stormwater pond</p> <p>West: Multi-family, Forest Park & fire station, vacant land</p> <p>East: SW 34th Street; University-owned hotel, office/research, and parking; Doyle Conner Building</p>

Surrounding Controls

The subject area is surrounded by the following land use and zoning designations.

	Future Land Use	Zoning
North	Conservation Education Residential Low	Conservation (CON) Education (ED) RMF-5 County R-3
West	Mixed-use Medium-intensity Recreation & Public Facilities Residential Medium Density	MU-2 County C-1 & R-3; City PS (pending) RMF-8
East	Education Public Facilities Mixed-use Low-intensity	Education (ED) Public services and operations (PS) MU-1
South	Planned Use District (PUD) Public Facilities	Planned Development (PD) Public services and operations (PS)

PB-12-73ZON
July 26, 2012 (revised August 14, 2012 per Plan Board recommendation)

Exhibits

Exhibit A Maps

A-1 Aerial Map of the Urban Village

A-2 Existing Alachua County Zoning

A-3.1 Proposed Zoning (North)

A-3.2 Proposed Zoning (West)

A-3.3 Proposed Zoning (East)

A-4 Environmental Features: Wetlands

A-5 Environmental Features: Strategic Ecosystem

Exhibit B-1 Petition Application