

TO: City Plan Board

Item Number: 1

FROM: Planning & Development Services Department
 Staff

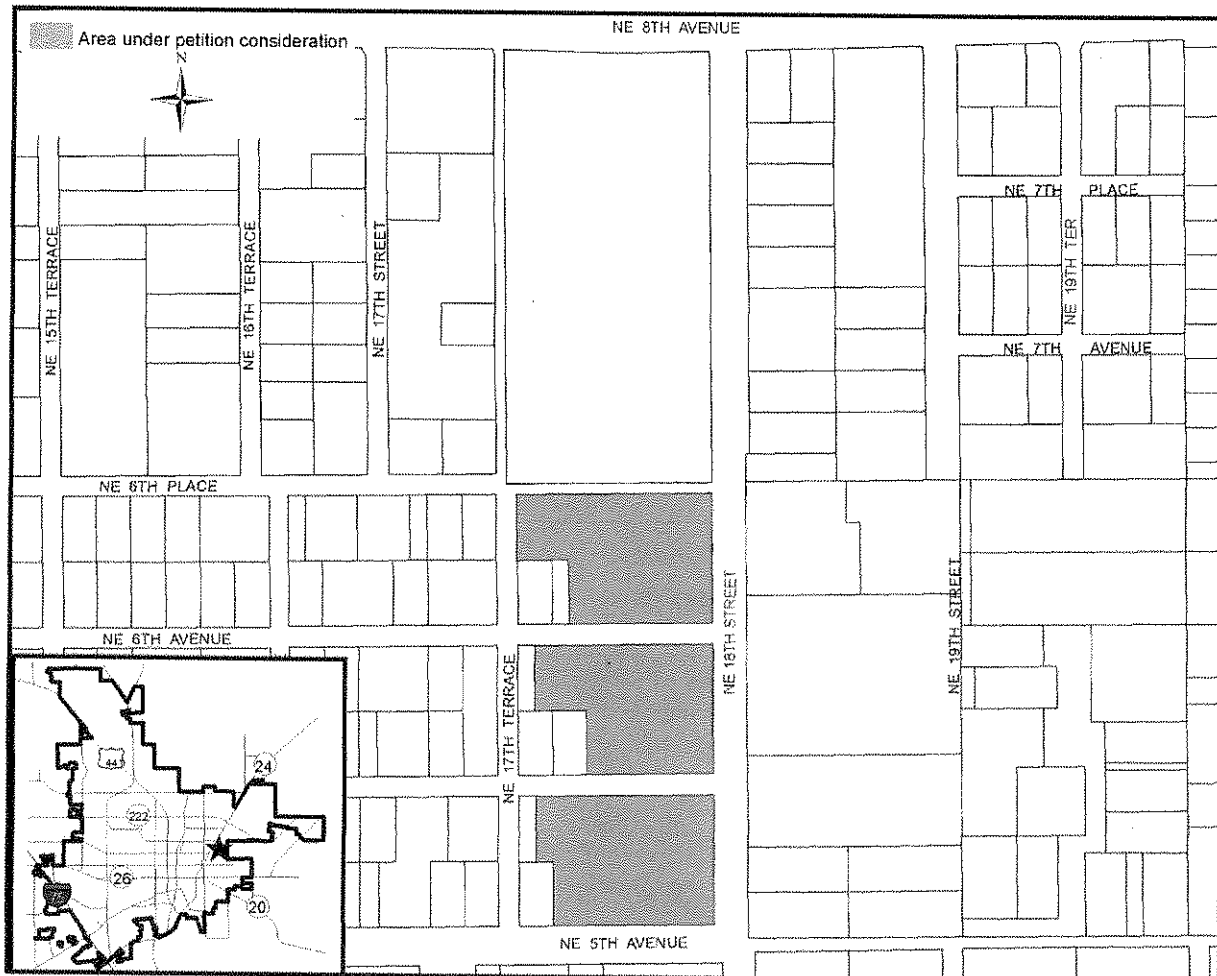
DATE: April 25, 2013

Revised: June 20, 2013

SUBJECT: Petition PB-13-26 LUC, Causseaux, Hewett, Walpole, agent for Gardenia Garden Apartments Limited Partnership. Amend the City of Gainesville Future Land Use Map from Residential Low-Density (up to 12 units per acre) (RL) to Residential Medium-Density (8-30 units per acre) (RM). Located in the vicinity of NE 18th Street, south of NE 6th Place, east of NE 17th Terrace, and north of NE 5th Avenue. Related to PB-13-27 ZON.

Recommendation

Staff recommends approval of Petition PB-13-26 LUC.



Description

This petition proposes a small-scale future land use map amendment to change the land use designation for a portion of one parcel (± 3.47 acres of a 7.41-acre parcel) (Tax Parcel No. 10970-000-000) from Residential Low Density (RL) to Residential Medium Density (RM). The subject property consists of the southern portion of the Gardenia Gardens Apartments multi-family complex that was originally developed in 1968. Gardenia Garden Apartments is located on the south side of NE 8th Avenue and the west side of NE 18th Street. The location of this 3.47-acre portion of the referenced parcel is shown on page 1 of this report.

The property currently has a split land use designation of RM for the northern 3.94-acre portion of the parcel (48 units) and a RL land use designation for the remaining southern area (52 units). The property is also split zoned between RMF-7: 8-21 units/acre multiple-family residential district (northern portion) and RMF-5: 12 units/acre single-family/multiple-family residential district (southern portion).

The developed density of the 3.47-acre southern portion of the property currently exceeds the density limit of 12 units per acre within the Residential Low Density land use and the RMF-5 zoning district. This fact renders the existing apartment buildings on the property non-conforming and therefore subject to the nonconforming lots, uses, or structures requirements of the Land Development Code (Sec. 30-346).

However, prior to the adoption of the 1991 City of Gainesville Comprehensive Plan, the entire property had a land use designation of Multi-family Medium (MF(m)) and an RMF-7 zoning. Under the MF(m) land use and RMF-7 zoning in place at the time, the developed density of the property conformed to the 30 units per acre maximum density of the land use and zoning. The nonconformity status arose when the property was split into its current land use and zoning arrangement as part of the citywide land use and zoning changes in 1991 and 1992. There are no records regarding why this change occurred at that time.

This petition seeks to remove the southern portion of the property's nonconforming status by amending the land use designation on the 3.47-acres to match the existing RM land use designation on the remainder of the parcel. The proposed small scale land use amendment has the potential to increase the density of the 3.47-acre portion of the property by an additional 61 units. However, a concurrent petition to rezone the 3.47-acre portion to RMF-7 will limit the density by right for the entire parcel to 103 units (PB-13-27 ZON) thereby increasing the total allowable density by approximately 3 units. Additionally, the current site is fully developed and any increase in density would require significant modifications to the structures and land which would require site plan review per the development review process requirements of the Land Development Code.

The entire complex currently contains 100 U.S. Department of Housing and Urban Development (HUD) Project-Based Section 8 subsidized multi-family dwelling units. Amending the land use on the 3.47-acre portion of the property from RL to RM will remove the nonconformity status, which will assist in any future modifications to the property and enhance the ability of the development to obtain financing to provide affordable housing to Gainesville residents.

Key Issues

- The existing density of the 3.47-acre southern portion of the property exceeds the maximum density of the Residential Low Density land use designation as a result of citywide land use and zoning changes which occurred in 1991 and 1992, respectively.
- Amending the future land use category on the property from Residential Low Density to Residential Medium Density is necessary to remove the nonconforming status of the property.
- A related rezoning action from RMF-5 zoning district to RMF-7 zoning district is proposed to implement the proposed Residential Medium Density land use and to limit the total allowable density by right on the property to 103 units (Petition PB-13-27 ZON).

Basis for Recommendation

The staff recommendation is based on the eight following factors, which are discussed below: Consistency with the Comprehensive Plan; compatibility and surrounding land uses; environmental impacts and constraints; support for urban infill and/or redevelopment; impacts on affordable housing; impacts on the transportation system; an analysis of the availability of facilities and services; and need for the additional acreage in the proposed future land use category.

1. Consistency with the Comprehensive Plan

The southern portion of the property is currently developed with a residential density that exceeds the allowable density of the current Residential Low Density land use designation. Amending the land use category to Residential Medium Density will reflect the developed density on the property that has been in place since 1968 and will bring the density into compliance with the Comprehensive Plan. Removing the property's nonconforming status supports the provision of affordable housing which encourages the development of neighborhoods that contain a diversity of housing types (Future Land Use Element Policy 1.1.3) and densities for low-income, very low-income, extremely low-income and moderate-income people (Housing Element Objective 1.2).

2. Compatibility and surrounding land uses

As previously stated, the property is currently developed with a multi-family apartment complex built in 1968. This site is bordered by Residential Medium Density land use to the north, Residential Low Density land use to the west and south, and Single Family land use to east. The surrounding area is developed primarily with single family residences with commercial and civic uses occurring along NE 8th Avenue. Because this petition involves an existing condition where the added density already exists at the site, staff does not anticipate any compatibility issues as a result of this land use amendment. Further, the concurrent rezoning petition (PB-13-27 ZON) will limit the increase in the allowable density by right as a result of this land use amendment.

3. Environmental impacts and constraints

There are no environmental impacts anticipated as a result of the proposed future land use map amendment. The proposed future land use map amendment received an exemption from Land Development Code (LDC) Section 30-300 and 30-310 regarding regulated surface waters and wetlands (LDC Sec. 30-300) and regulated natural and archeological resources (LDC Sec. 30-310). The exemption was approved due to the absence of regulated surface waters or wetlands on or adjacent to the property and it was determined that the proposed future land use map amendment will have a *de minimis* impact on any applicable regulated natural and archeological resources.

4. Support for infill and redevelopment

The proposed addition of 3.47-acres of Residential Medium Density future land use may provide additional opportunities for residential development in the event of redevelopment. However, these opportunities are limited by the fact that the site is currently fully developed and the proposed RMF-7 zoning will further limit the allowable density by right on the property.

5. Impacts on Affordable Housing

As previously stated, the apartment complex is a HUD Section-8 tenant based facility offering approximately 100 units eligible for housing choice vouchers. The proposed land use amendment will have a positive impact on affordable housing by removing the nonconformity status which will assist in any future modifications to the property and enhance the ability of the development to obtain financing to provide affordable housing to Gainesville residents.

6. Transportation

The site is located within the City's TCEA Zone A, which was established to encourage redevelopment and infill near the University Context Area, the urban core, and the eastern part of Gainesville. Developers within TCEA Zone A are responsible for providing transportation improvements that are required due to safety and/or operational conditions.

The site currently has one driveway connection on NE 8th Avenue and four driveway connections along NE 18th Street. Sidewalks run along both NE 8th Avenue and NE 18th Street and throughout the development. The site is located less than one-quarter (1/4) mile from Regional Transit System's (RTS's) bus routes 24 and 25, which run along NE Waldo Road/SR 24.

7. Analysis of the availability of facilities and services


The property is currently served by urban services including potable water and wastewater. Solid waste services are available to the property, and there will be no impact to the adopted level of service. Stormwater requirements are determined at the time of development review based on site-specific analysis. Recreational opportunities are provided within close proximity to the property by the Martin Luther King Jr. Multi-Purpose Center and the Northeast Community Center. Staff does not anticipate any impacts on public school facilities from the land use change

due to the limited potential for an increase in residential density and the fact that this is a developed site.

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

The proposed land use amendment will remove the nonconforming status from an existing developed apartment complex. The proposed Residential Medium-Density category is appropriate for the 3.47-acre southern portion of the site and will match the existing land use on the northern portion of the parcel.

Respectfully submitted,


Onelia Lazzari, AICP
Principal Planner

Prepared by:



Andrew Persons, LEED GA

Table 1

Adjacent Existing Uses

North	Gardenia Gardens Apartments
South	Vacant land, church
East	Single family residences
West	Single family residences

Adjacent Zoning and Land Use

	Zoning Category	Land Use Category
North	RMF-7: 8—21 units/acre multiple-family residential district	Residential Medium Density
South	RC: 12 units/acre residential conservation district	Residential Medium Density
East	RSF-3: 5.8 units/acre single-family residential district	Single Family
West	RC: 12 units/acre residential conservation district	Residential Low Density

Exhibits

Exhibit A Maps

- A-1 Aerial map of the subject property
 - A-2 Existing future land use
 - A-3 Proposed future land use
 - A-4 Comprehensive Plan Goals, Objectives, and Policies
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- B-1 Causseaux, Hewett, and Walpole, Inc. Justification Report
 - B-2 Petition application