

Item No. 4**Date:** January 18, 2007**To:** City Plan Board**From:** Planning Division Staff**Subject:** **Petition 193LUC-06 PB.** Saul Silber. Amend the City of Gainesville 2000-2010 Future Land Use Map from SF (Single-family, up to 8 units per acre) to RM (Residential Medium Density, 8-30 units per acre. Located at 400 Northeast 11th Street, 410 Northeast 11th Street and 401 Northeast 10th Street. Related to Petition 194 ZON-06 PB.

Recommendation

Staff recommends approval of Petition 193LUC-06 PB.

Explanation

The subject property is 1.4 acres and is currently a developed multi-family housing development.

The property currently has single-family residential land use. This petition would simply make the existing housing on the property conform with the underlying land use in a location that is appropriate for the proposed residential medium density land use.

The proposed multi-family residential land use is compatible with that of the surrounding residential properties, which include residential single-family (SF, up to 8 du/ac) and residential multi-family (RM, 8 to 30 du/ac). Existing, surrounding development consists of single-family and multi-family homes and apartments. This petition is related to Petition 194ZON-06PB, which proposes residential multi-family zoning that is consistent with the proposed land use category.

Impact on Transportation Level-of-Service

The proposed land use change will not result in a change in the existing residential use, so there will be no change in trips generated at this location.

Compatibility of the proposal to surrounding land uses

The adjacent near-downtown residential properties, land use designations are compatible with the proposed multi-family residential designation.

Environmental impacts and constraints

The property is not within the 100-year floodplain and is not associated with significant environmental features.

Whether the change promotes urban infill or urban redevelopment

The proposed change would promote retention of higher density residential development near downtown, which promotes the health of downtown.

Applicable Goals, Objectives and Policies

Future Land Use Element

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.

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:

Residential Medium-Density (8-30 units per acre). This land use classification shall allow single-family and multi-family development at densities from 8 to 30 dwelling units per acre. 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. The land shown as Residential Medium-Density on the Future Land Use Map identifies those areas within the City that, due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for single-family, and medium-intensity multi-family development. Land development regulations shall determine gradations of density and specific uses. Land development regulations shall specify criteria for the siting of appropriate medium-intensity residential facilities to accommodate special need populations and appropriate community-level institutional facilities such as places of religious assembly, public and private schools other than institutions of higher learning, and libraries. Land development regulations shall allow home occupations within certain limitations.

Policy 4.1.3 The City will review proposed changes to the Future Land Use Map by considering factors such as, but not limited to, the following:

1. Overall compatibility of the proposal;
2. Surrounding land uses;
3. Environmental impacts and constraints;
4. Whether the change promotes urban infill; and
5. Whether the best interests, community values, or neighborhood support is achieved.

In no case shall this or any other Policy in the Future Land Use Element indicate a presumption that the City shall support a change of designation of land use for any parcel.

Objective 4.10

Eliminate uses inconsistent with the adopted Future Land Use Plan.

Policy 4.10.1 The City shall continue to have land development regulations that eliminate or control those uses that are found to be inconsistent with the Future Land Use Plan. Land development regulations shall address the continued existence of legal non-conforming uses, and amortization schedules for signs and street graphics.

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| Applicant Information | Saul Silber |
| Request | Amend the City of Gainesville 2000-2010 Future Land Use Map from SF (Single-family, up to 8 units per acre) to RM (Residential Medium Density, 8-30 units per acre. |
| Existing Land Use Plan Classification | SF |
| Existing Zoning | RSF-2 |
| Purpose of Request | Remove non-conforming status for existing development |
| Location | 400 & 410 NE 11 th St & 401 NE 10 th St. |
| Existing Use | Multi-family residential |

Surrounding Uses

| | |
|--------------|---------------------------|
| North | single-family residential |
| South | apartments |
| East | single-family residential |
| West | single-family residential |

| Surrounding Controls | Existing Zoning | Land Use Plan |
|-----------------------------|------------------------|----------------------|
| East | RSF-2 | SF |

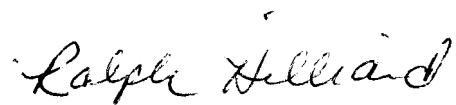
City Plan Board
Petition 16LUC-06PB
February 16, 2006

| | | |
|-------|-------|----|
| South | RMF-7 | RM |
| West | RSF-2 | SF |
| North | RSF-2 | SF |

Summary

The proposed land use change is consistent with the 2000-2010 Gainesville Comprehensive Plan, and is recommended for approval.

Respectfully submitted,



Ralph Hilliard
Planning Manager

RW:DM:DN

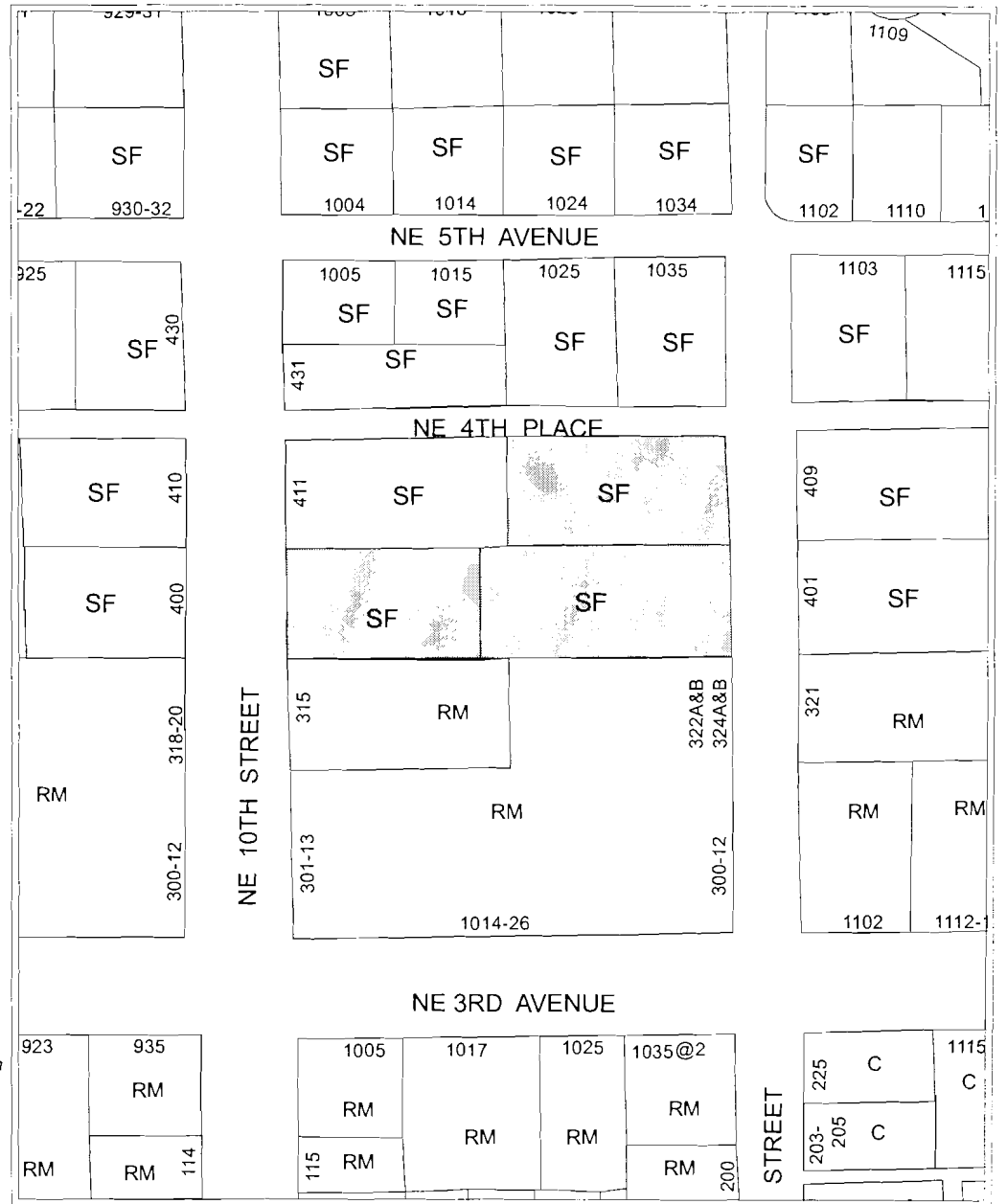
Attachment

Land Use Designations

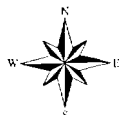
- SF Single Family (up to 8 du/acre)
- RL Residential Low Density (up to 12 du/acre)
- RM Residential Medium Density (8-30 du/acre)
- RH Residential High Density (8-100 du/acre)
- MUR Mixed Use Residential (up to 75 du/acre)
- MUL Mixed Use Low Intensity (8-30 du/acre)
- MUM Mixed Use Medium Intensity (12-30 du/acre)
- MUH Mixed Use High Intensity (up to 150 du/acre)
- UMU1 Urban Mixed Use 1 (up to 75 du/acre)
- UMU2 Urban Mixed Use 2 (up to 100 du/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 consideration



EXISTING LAND USE



No Scale

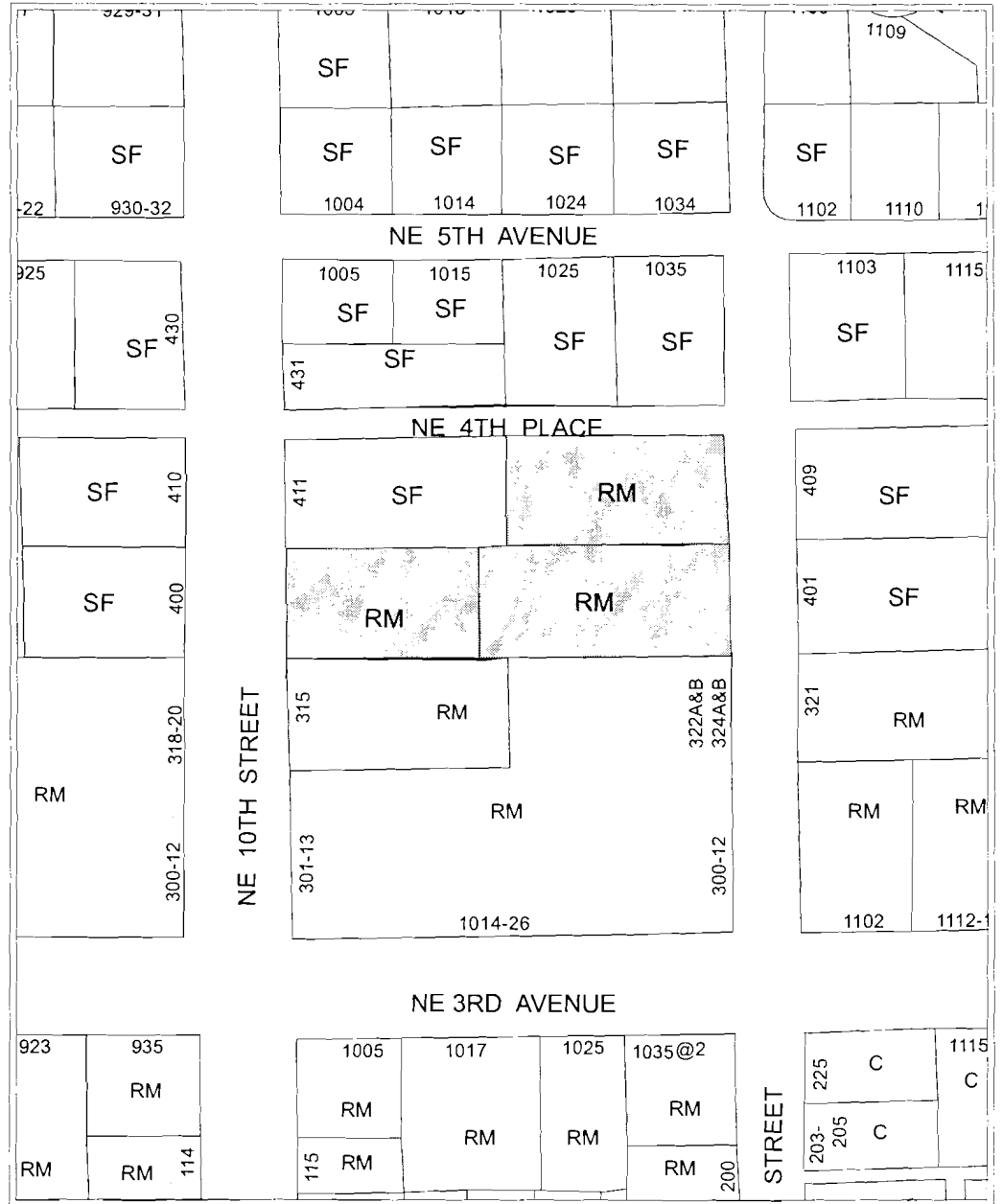
| Name | Petition Request | Map(s) | Petition Number |
|------------------------|----------------------------|--------|-----------------|
| Saul Silber, applicant | Change FLUM from SF to R-M | 3953 | 193LUC-06PB |

Land Use Designations

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PROPOSED LAND USE

| Name | Petition Request | Map(s) | Petition Number |
|------------------------|----------------------------|--------|-----------------|
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AERIAL PHOTOGRAPH

| Name | Petition Request | Map(s) | Petition Number |
|------------------------|--|--------|----------------------------|
| Saul Silber, applicant | Rezone from RSF2 to RMF7 Change FLUM from SF to R-M | 3953 | 193LUC-06PB 194ZON-06PB |



No Scale

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Dean Mimms, Comprehensive Planning Chief gave the Staff presentation and stated what was developed in the 1970's is inconsistent with the underlined zoning of Single-family. Mr. Mimms further stated these apartments, because of the Land Use and Zoning, is required to get a Landlord Permit, as this development is more compatible with the Multi-family zoning. Mr. Mimms added Staff recommends approval.

Saul Silber, petitioner stated he has owned the property for 30 years and has been trying to change the zoning for several years, as the Landlord Ordinance has made him bring this to the Board. Mr. Silber further stated the best thing that could happen to this property is to rebuild the units, as it would add more character to the neighborhood.

Citizens came forward against changing the zoning for this petition.

The Board discussed the petition and non-conforming uses, and included a recommendation to the City Commission.

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| Motion By: Jon Reiskind | Seconded By: Bob Cohen |
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| Moved To: Deny | Upon Vote: 5 – 1 (Nay: A. Tecler) |

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| Motion By: Jon Reiskind | Seconded By: Adam Tecler |
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| Moved To: Recommend to the City Commission regarding petition 193LUC-06PB, they consider the waiving of the landlord licenses to non-conforming multiple-family housing | Upon Vote: 6 – 0 |