

**LEGISLATIVE #**

**110556B**

TO: City Plan Board

Item Number: 3

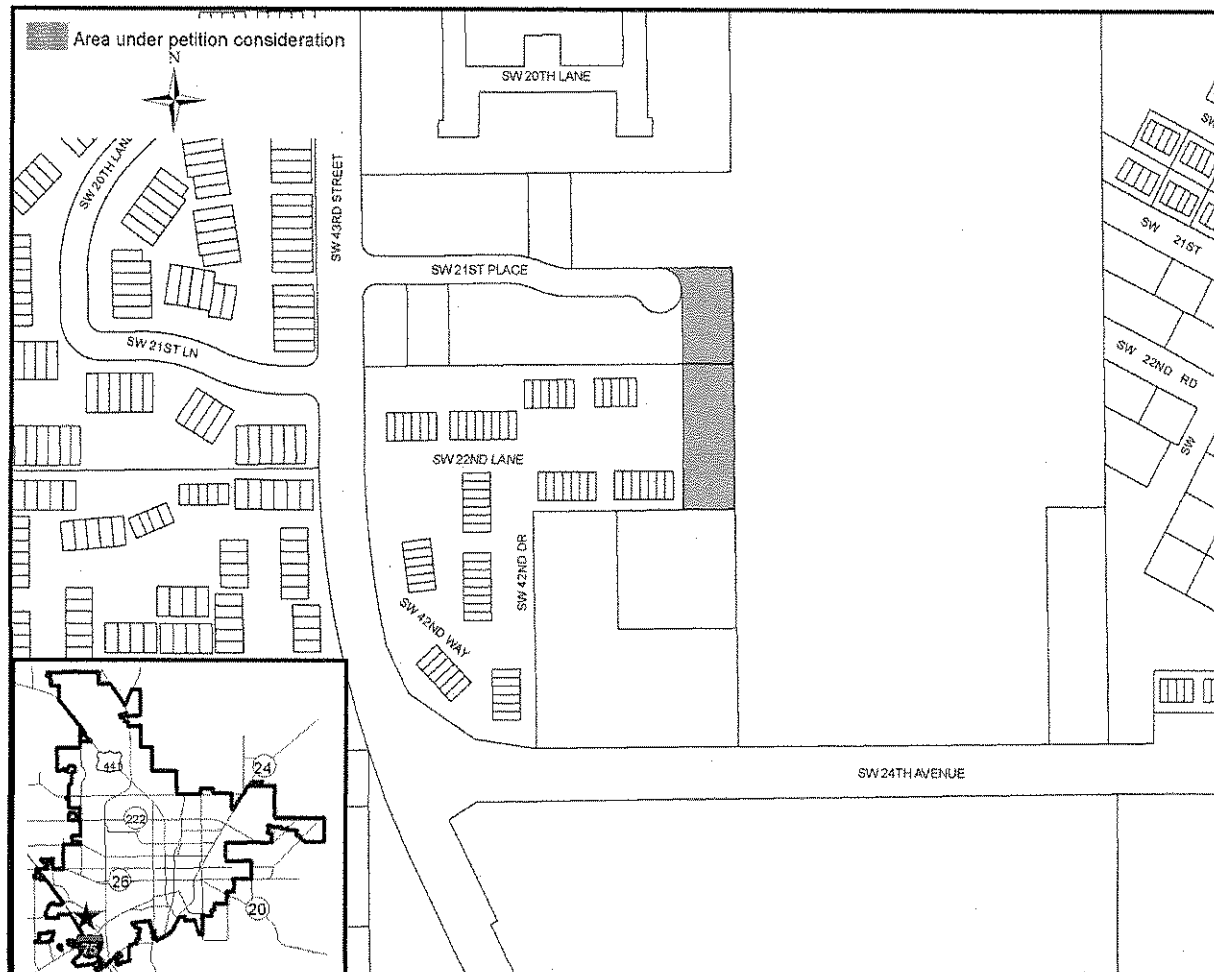
FROM: Planning & Development Services Department  
 Staff

DATE: Nov. 1, 2011

SUBJECT: Petition PB-11-125 ZON. City Plan Board. Rezone property from Alachua County Multiple family, high density (R-3) district to City of Gainesville Public services and operations (PS) district. Located at 4201 SW 21<sup>st</sup> Place.

### Recommendation

Staff recommends approval of Petition PB-11-125 ZON, waiving the requirement for a preliminary development plan, and approval of the uses and conditions recommended in the staff report.



## Description

This zoning petition pertains to an approximately 0.90-acre property located (see map on page 1) at 4201 SW 21<sup>st</sup> Place and the lot immediately south. This developed property is approximately 540 feet east of SW 43<sup>rd</sup> Street, at the end of a cul-de-sac, and was part of the Urban Village annexation that occurred in 2009. The property is within the Urban Village area, which covers approximately 396 acres of southwest Gainesville in the area of SW 20<sup>th</sup> Avenue and SW 24<sup>th</sup> Avenue, west of SW 34<sup>th</sup> Street.

Alachua County Medium High Density Residential (8-14 DU/acre) land use is to the north, south, and west, and Alachua County High Density Residential (14-24 DU/acre) land use is to the east. The surrounding zoning is Alachua County R-3 (Multiple family, high density district) zoning. The properties to the north, east and west are developed as apartment complexes. The undeveloped, City-owned property to the south is planned for future use as a water re-pump station or other utilities use by GRU, and was recommended for rezoning to PS (Public services and operations district) on August 25, 2011 by the City Plan Board (Petition PB-11-105 PSZ). (See Table 2 at the end of this report.)

The purpose of this petition is to place appropriate City of Gainesville zoning on this annexed property. The proposed PS (Public services and operations district) zoning will implement the Public Facilities land use which is pending final approval (second reading of the ordinance implementing Petition PB-10-137 LUC will be held November 3, 2011. That petition includes proposed Public Facilities land use for the City-owned property to the south, and Urban Mixed-Use 2 (UMU-2: 10 to 100 units per acre) land use for the other adjacent properties.).

This Alachua County property is in use as Metamorphosis, which is Alachua County Court Services' long-term, community-based, residential treatment program for adult, chronic substance-dependent clients (see Appendix C – Application, for complete description of Metamorphosis from Court Services' website.) This use is in accord with Alachua County Resolution No. Z-97-14 for a Special Use Permit to allow a substance abuse treatment center in an R-3 (Multiple-Family, High Density) district, which was approved on May 13, 1997 by the Alachua County Board of County Commissioners. Metamorphosis is classified in the City's Land Development Code as a social service home or halfway house. Section 30-23 defines this as follows:

*Social service home or halfway house* means a facility providing professional care, resident or nonresident, for those requiring therapy, counseling or other rehabilitative services related to drug abuse, alcohol abuse, social disorders, physical disabilities, mental retardation or similar problems.

Section 30-75 (see Appendix A, Exhibit A-2) of the Land Development Code requires that the uses to be allowed for a property with PS zoning be specified in the ordinance that places the PS zoning on that property. The staff recommendation is that the uses to be allowed by the PS zoning ordinance be limited to Social service homes and halfway houses and various other uses listed in this report in Table 1, Recommended Uses and Conditions.

Please see Appendix B for the map series consisting of an aerial photograph, and maps of existing and proposed zoning.

## Key Issues

The key issues with this rezoning are that:

- the property is within the Urban Village area;
- this is an annexed property that must have City zoning placed on it; and,
- the proposed PS zoning is an appropriate zoning district for the existing use as a social service home or halfway house as operated by Alachua County.

## 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 rezoning to Public service and operations (PS) district zoning is consistent with the overall goals, objectives, and policies of Gainesville's Comprehensive Plan. The proposed rezoning is also consistent with the pending Public Facilities land use requested in Petition PB-10-137 LUC.

The following comprehensive plan policies are relevant to this petition:

#### Intergovernmental Coordination Element

##### Goal 1

To coordinate the plans and activities of the various units of government to promote effective, efficient comprehensive planning, and provision of urban services, and to mitigate potential conflicts between jurisdictions.

#### Future Land Use Element

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

##### Public Facilities

This category identifies administrative and operational governmental functions such as government offices, utility facilities and storage facilities. Maximum lot coverage in this district shall not exceed 80 percent.

### 2. Conformance with the Land Development Code

Section 30-75 (see Appendix A, Exhibit A-1) of the Land Development Code requires that the uses to be allowed for a property with PS zoning be specified in the ordinance that places the PS zoning on that property. The proposed PS zoning is appropriate for this established use as a

social service home or halfway house, and is consistent with the Land Development Code. The staff recommendation is that the uses to be allowed by the PS zoning ordinance be limited to Social service homes and halfway houses and various other uses listed in this report in Table 1, Recommended Uses and Conditions. These additional uses are appropriate for County-owned property in this location, and they will be subject to all applicable regulatory requirements of the City of Gainesville.

### **3. Changed Conditions**

The property has been annexed and the changed condition is that it is now within Gainesville's city limits and requires that City zoning be placed on it.

### **4. Compatibility**

The proposed PS zoning for this County-owned property and County-operated facility is compatible with surrounding properties. The use has been in operation at this location since 1997. See Table 2 at the end of this report for adjacent zoning and land uses.

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

The proposed Public services and operations district zoning will have no impact on affordable housing.

### **Transportation**

There are no major transportation issues associated with this rezoning because this is an existing, developed facility.

### **Environmental Impacts and Constraints**

There are no major environmental issues associated with the proposed rezoning to PS for Metamorphosis, which is classified as a social service home or halfway house. There are also no major environmental issues associated with the other uses proposed for this PS rezoning.

**Table 1****Recommended Uses and Conditions**

The uses permitted by right on this property shall include the following:

<i>SIC</i>	<i>Use</i>	<i>Conditions</i>
	<b>USES BY RIGHT:</b>	
	Social service homes and halfway houses	<p>In accordance with Article VI, and in accordance with the following additional conditions for the use approved by Alachua County Resolution No. Z-97-14:</p> <ol style="list-style-type: none"> <li>1. The facility shall maintain licensing by the State of Florida, and shall comply with Ch. 397 (Substance Abuse Services), Florida Statutes, and all applicable regulations cited therein.</li> <li>2. Security precautions shall include awake staff on the premises at all times, hourly face-to-face checks on residents during all shifts, and alarms on all exit doors. Clients shall not be allowed to leave the facility without authorization, and their whereabouts shall be accounted for at all times.</li> <li>3. Any changes to signage or exterior lighting at the site shall conform to City requirements in the Land Development Code.</li> <li>4. Outside activities such as grounds maintenance or recreational activities shall not be allowed between sunset and 8:00 a.m.</li> <li>5. The capacity of the facility shall be limited to twenty-one (21) beds.</li> <li>6: Delivery vehicles shall not be allowed between sunset and 8:00 a.m.</li> </ol>
	Rehabilitation centers	In accordance with Article VI
	Housing for elderly persons	In accordance with Article VI
	Day care centers	In accordance with Article VI
IN 8231	Libraries	
IN 8412	Museums and art galleries	
IN 9111	Executive offices	
IN 9121	Legislative bodies	
IN 9199	General government, not elsewhere classified	
IN 9221	Police protection	
IN 9222	Legal counsel and prosecution	

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IN 9229	Public order and safety, not elsewhere classified	
IN 9431	Administration of public health programs	
IN 9441	Administration of social, human resource and income maintenance programs	
IN 9451	Administration of veterans' affairs, except health and insurance	
MG 95	Administration of environmental quality and housing programs	
IN 9611	Administration of general economic programs	
IN 9641	Regulation of agricultural marketing and commodities	
IN 9651	Regulation, licensing, and inspection of miscellaneous commercial sectors	
	Any use customarily incidental to any permitted principal use	

The following conditions also apply to the use and development of this property:

1. Changes to the site shall require development plan approval in accordance with the requirements of the City's Land Development Code and the adopted PS zoning ordinance.
2. The subject property shall be regulated in accordance with the requirements of the City's Land Development Code and all other applicable regulations.

Respectfully submitted,



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Principal Planner



Prepared by: Dean Mimms, AICP  
Lead Planner

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**Table 2****Adjacent Existing Uses**

<b>North</b>	Multi-family residential
<b>South</b>	Undeveloped, open land owned by City of Gainesville (for future use by GRU for water re-pump station or other utility use)
<b>East</b>	Multi-family residential (Madison Lane apartments)
<b>West</b>	Multi-family residential

**Adjacent Zoning and Land Use**

	<b>Zoning Category</b>	<b>Land Use Category</b>
<b>North</b>	Alachua County R-3 (Multiple family, high density district)	UMU-2 pending. (Now Alachua County (Al. Co.) Medium High Density Residential (8-14 DU/acre))
<b>South</b>	PS pending. Alachua County R-3 (Multiple family, high density district)	PF pending. (Now Al. Co. Medium High Density Residential (8-14 DU/acre))
<b>East</b>	Alachua County R-3 (Multiple family, high density district)	UMU-2 pending. (Now Al. Co. High Density Residential (14-24 DU/acre))
<b>West</b>	Alachua County R-3 (Multiple family, high density district)	UMU-2 pending. (Now Al. Co. Medium High Density Residential (8-14 DU/acre))



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**List of Appendices**

**Appendix A - Land Development Code**

Exhibit A-1 – Section 30-75. Public Services and Operations District

**Appendix B - Supplemental Documents**

Exhibit B-1 - Aerial Photograph

Exhibit B-2 – Existing Zoning Map

Exhibit B-3 – Proposed Zoning Map

**Appendix C - Application**

Exhibit C-1 – Application