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TO: City Plan Board

Item Number: 5

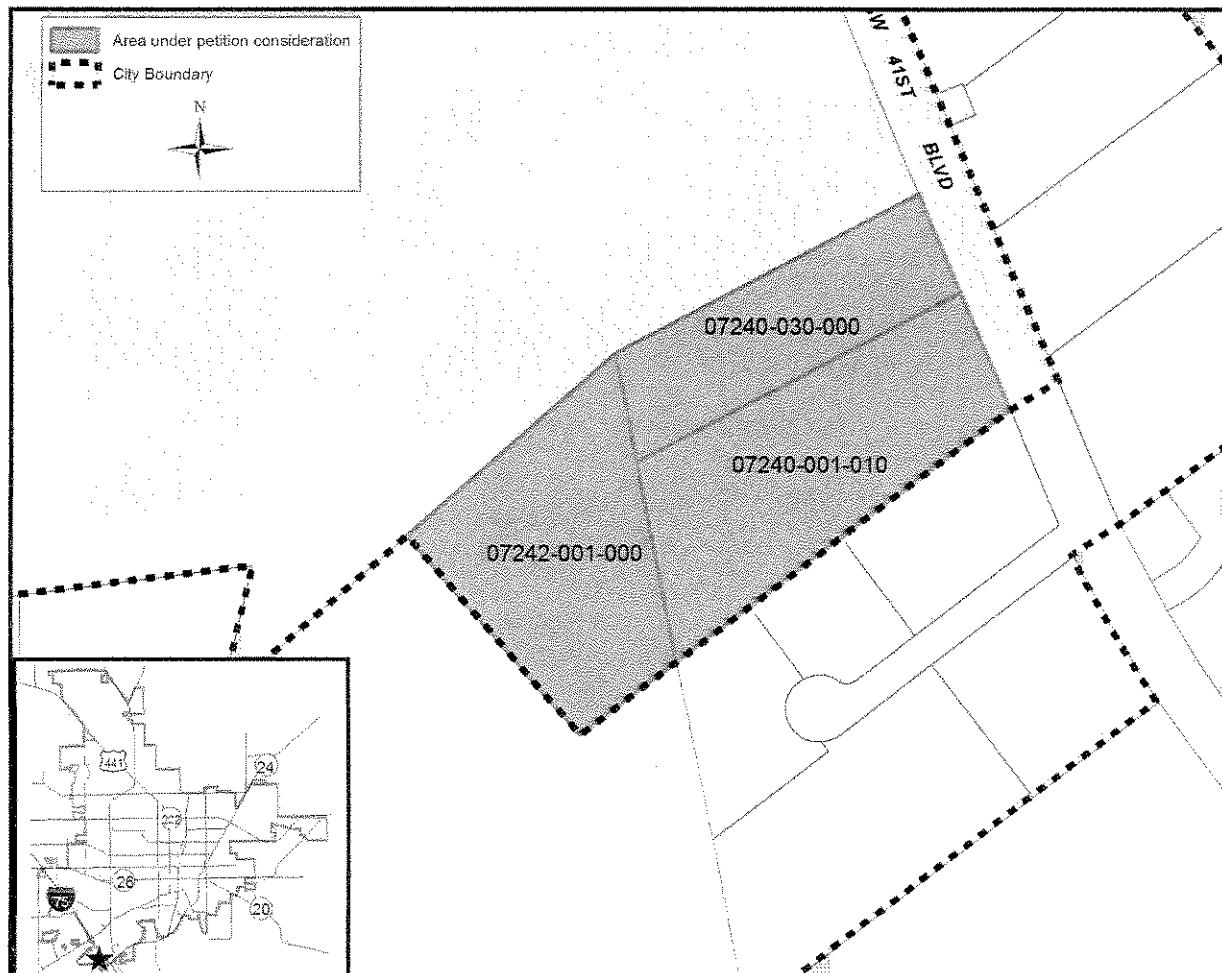
FROM: Planning & Development Services Department
 Staff

DATE: January 23,
 2014

SUBJECT: Petition PB-13-124 LUC. City Plan Board. Amend the City of Gainesville Future Land Use Map from Alachua County Heavy Industrial to City of Gainesville Business Industrial. Located in the 5000 block of SW 41ST Boulevard, west side. (Fred Bear Drive). Related to PB-13-125 ZON.

Recommendation

Staff recommends approval of Petition PB-13-124 LUC.



Description

This approximately 11.42-acre property (see map on page 1) was voluntarily annexed into the City on November 4, 2013 by Ordinance No. 130243. The proposed large-scale land use change from Alachua County Heavy Industrial to City of Gainesville Business Industrial will designate a City land use on the annexed property. This petition is related to Petition PB-13-125 ZON, which proposes rezoning from Alachua County Industrial services and manufacturing (MS) and Planned development (PD) districts to City of Gainesville Business industrial (BI) district.

The property is comprised of three parcels situated on the west side of the 5000 block of SW 41st Boulevard. The majority of the site is developed and in service as a waste transfer facility operated by the WCA Waste Corporation. A fourth fully developed parcel, which was not annexed into the City, lies directly south of the properties subject to this land use change.

See Exhibit B-1 for an aerial photograph of the property and surrounding area. Exhibits B-2 and B-3 are maps illustrating the existing and proposed land use categories.

Background Information

In 2000, Alachua County approved a development plan for the existing waste transfer station. At the same time, the westernmost parcel (07242-001-000) was rezoned to Alachua County PD and incorporated into the overall site plan. In 2007, a site plan was approved by Alachua County to add a compressed natural gas (CNG) fueling station on parcel 07240-001-010. This large-scale amendment, if approved, will allow the continued use of the site as a waste transfer station with the associated parking and fleet vehicle service facilities.

Key Issues

- This is an annexed property that requires a City land use designation.
- The proposed large-scale amendment to Business Industrial is consistent with the City's Comprehensive Plan.
- This petition is related to Petition PB-13-125 ZON, which will rezone the property to City of Gainesville Business industrial (BI) district.

Basis for Recommendation

The staff recommendation is based on the factors stated in the Future Land Use Element and on State statute criteria, which are discussed below: Consistency with the Comprehensive Plan; Compatibility and surrounding land uses; Environmental impacts and constraints; Support for urban infill and redevelopment; Impacts on affordable housing; Impacts on the transportation system; An analysis of the availability of facilities and services; Need for the additional acreage in the proposed future land use category; 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.; Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy; and, Need to modify land use categories and developmental patterns within antiquated subdivisions as defined in Section 163.3164, F.S.

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1. Consistency with the Comprehensive Plan

The proposed land use change from Alachua County Heavy Industrial to City of Gainesville Business Industrial is consistent with Future Land Use Policy 4.4.1, Objective 4.4, and Policies 4.4.1 and 4.4.2, below. See Exhibit A-1 for other relevant Gainesville Comprehensive Plan policies.

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

Business Industrial

This land use category is primarily intended to identify those areas near the Gainesville Regional Airport appropriate for office, business, commercial and industrial uses. This district is distinguished from other industrial and commercial districts in that it is designed specifically to allow only uses that are compatible with the airport. Intensity will be controlled by adopting land development regulations that establish height limits consistent with the Airport Hazard Zoning Regulations. When not located within an airport zone of influence, this category may be used to designate areas for office, business, commercial and industrial uses, with a maximum height of 5 stories, and a maximum floor area ratio of 4.0. Land development regulation(s) shall specify the type and distribution of uses, design criteria, landscaping, pedestrian and vehicular access.

Objective 4.4 Newly annexed lands shall retain land uses as designated by Alachua County until the Future Land Use Element of this Plan is amended.

Policy 4.4.1 Land use amendments should be prepared for all annexed properties within one year of annexation.

Policy 4.4.2 Alachua County LOS standards shall apply until newly annexed lands are given land use designations in this plan.

2. Compatibility and Surrounding Land Uses

The subject property is adjacent to undeveloped unincorporated Alachua County to the west and several developed properties with Alachua County Heavy Industrial land use to the east and south. The property is bordered to the north by undeveloped land designated Business Industrial within the City of Gainesville.

The proposed Business Industrial land use designation is compatible with the adjacent properties and surrounding area. As previously stated, the site is developed and in operation as a waste transfer station. The site is surrounded by a variety of warehouse, service, and industrial uses to the south and east.

3. Environmental Impacts and Constraints

The City's Environmental Coordinator provided the following environmental analysis for the subject property consistent with the requirements of the City Land Development Code 30-300 Surface Waters and Wetlands, and 30-310 Natural and Archaeological Resources:

The subject petitions for proposed changes in land use and rezoning for three contiguous parcels (07242-001-000, 07240-030-000, and 07240-001-010), located on the west side of SW 41st Boulevard (Fred Bear Drive), have been reviewed for considerations relating to natural and environmental resources which may be present on or immediately adjacent to the property. The petitions propose a land use change from Alachua County Heavy Industrial to City of Gainesville Business Industrial, and rezoning from Alachua County Industrial Services and Manufacturing (MS) and Planned Development (PD) to City of Gainesville Business Industrial (BI) District. The property is largely covered by existing development of the former Boone Waste facility, now owned and operated by the WCA Waste Corporation as a waste transfer, fleet fueling, maintenance, and container storage facility.

The more easterly parcels (07240-030-000 and 07240-001-010) of the parcel group front on SW 41st Boulevard and contain buildings, parking and paving, fueling stations, and a stormwater management basin which serves the developed area. Within the rear lot (the westerly parcel 07242-001-000) is a container yard, a stormwater basin which receives drainage from a perimeter swale running along the north and west property boundary, and an early successional oak-dominated wooded area approximately two acres in size. Large waste containers are arranged in an unpaved storage area for transportation to job sites.

The property has been reviewed to determine if there are any environmental resources present on or immediately adjacent which might be regulated by City Land Development Code 30-300 *Surface Waters and Wetlands*, or 30-310 *Natural and Archaeological Resources*. Wetland areas are present on adjacent property to the north and west, and segments of the northeast and southwest property boundaries of the subject property fall within the minimum average buffer distance required for wetland protection pursuant to 30-302(b). The boundary of a Strategic Ecosystem area runs through the north and west parts of the property. As such, the subject parcel group, as well as an additional adjacent parcel to the southeast, all under the same ownership, have been considered as the planning parcel and evaluated by staff for purposes of the 30-310 environmental assessment and review. This strategic ecosystem is the 400 acre unit known as Fred Bear Hammock, a karst landscape covered by mature calcareous mesic hammock upland forest interspersed with high quality depressional wetlands and notable geologic characteristics associated with limerock outcrops. The core area of Fred Bear Hammock lies just north and west of the subject property, although its highest value resource areas are not immediately adjacent to the subject property boundaries, with the exception of the previously mentioned wetland along the northeast boundary.

Within the property evaluated under this review, the remnant areas of edge and early successional forest along the north boundary and within the western parcel, provide value to this strategic ecosystem unit through buffering the offsite high value areas. Prior County land use and zoning actions, as well as recent pre-application development reviews by County environmental staff, resulted in recommendations for compliance with County regulations

relating to strategic ecosystem preservation which are comparable with the review conducted in this report under applicable City natural and environmental regulations. The conclusion and recommendation of this City review is to confirm the prior County determination that any development plan submitted for the subject property under the requested land use and zoning should comply with 30-310 by providing for the set-aside/preservation of the remaining forested areas on the north and west sides of the property, all of which lie within the mapped Strategic Ecosystem area and constitute less than 50% of the regulated upland area. This provision will restrict the northern limits of existing development to the existing footprint, and acknowledge and maintain the approximate minimum buffer for the offsite wetland at the northeast corner mentioned above during any subsequent reviews of development proposals for the property.

No other regulated natural resource areas were identified for the subject parcel group and associated study area. Active hazardous material facilities regulated by the County are present on the site and on adjacent facilities in the area. Due to the high environmental and natural resource quality of the adjacent strategic ecosystem area, and the vulnerability of groundwater resources in this area, land uses should receive careful consideration of any potential impact via design and maintenance of storage facilities, or of inadvertent runoff and ground surface discharges which might move into the aquifer. Waste container storage, fueling facilities, vehicle maintenance, and related activity on the site should be contained, confined, and conducted in a manner cognizant of local geologic conditions.

4. Support for Urban Infill and/or Redevelopment

This proposed large-scale land use amendment will allow the continuation of an existing waste transfer facility. When not located within the airport's zone of influence, the Business Industrial is intended to designate areas for office, business, commercial and industrial uses. The proposed Business Industrial land use category will permit future infill and redevelopment of the site with a complementary range of permitted non-residential uses.

5. Impacts on Affordable Housing

The proposed large-scale land use amendment will have no impact on affordable housing. Residential development is not permitted by either the existing Alachua County Heavy Industrial land use or the proposed City of Gainesville Business Industrial land use categories.

6. Impacts on the Transportation System

There are no major transportation issues associated with this already developed site. The site is located within Zone D of the Gainesville Transportation Mobility Program Area (TMPA). At the time of development plan review, this 11.42-acre property will be subject to the Zone D requirements of Policy 10.1.9 of the Transportation Mobility Element. The property is served by SW 41st Blvd (Fred Bear Drive). There are no sidewalks on Fred Bear Drive. The site is not currently served by RTS service. The nearest Regional Transit System (RTS) routes (Routes 35 and 36) are located east of the Williston Road/I-75 interchange.

7. Availability of Facilities and Services

The subject property is in an urban area that is served by public utilities and other public services. According to the Urban Services Report adopted by Ordinance 130098, the site is currently served by GRU potable water and wastewater mains adjacent to the property.

The proposed land use will not impact adopted levels of service for potable water and wastewater, water supply, recreation, solid waste, or public schools, because the site is currently developed with an industrial use. There are no concurrency issues related to residential development, as this use is prohibited in the Business Industrial land use category. Stormwater level of service requirements will have to be met when a development plan for the site is submitted.

8. Need for the Additional Acreage in the Proposed Future Land Use Category.

The proposed large-scale land use amendment from Alachua County Heavy Industrial to City of Gainesville Business Industrial will add 11.42 acres to the Business Industrial land use category. As previously stated, City land use is required by the Comprehensive Plan for all annexed property. Business Industrial land use when not located within an airport zone of influence, is intended to designate areas for office, business, commercial and industrial uses. The Business Industrial land use will permit the continuing use of the site as a waste management facility. The site is already developed as an industrial use.

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.

Sub-section 163.3164 (51), F.S. states that “Urban sprawl” means a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses. Sub-section 163.3177(6) (a) 9 requires that the future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

This amendment to the future land use element discourages the proliferation of urban sprawl because it meets the following criteria of Sub-section 163.3177(6) (a) 9 b.:

- (I) 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.

Yes. The proposed land use amendment will allow the continuation of an ongoing urban use on a developed site. The property was annexed into the City of Gainesville and now requires City land use and zoning per the Comprehensive Plan.

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

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Yes. Existing potable water and wastewater lines are adjacent to the property. The property is served by an existing local roadway and is located in the Transportation Mobility Program Area Zone D.

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

Yes. This is neither an agricultural nor silvicultural property. It has an existing urban designation from Alachua County.

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

Yes. The proposed land use amendment will allow the continuation of an ongoing urban use on a developed site. The property was annexed into the City of Gainesville and now requires City land use and zoning per the Comprehensive Plan.

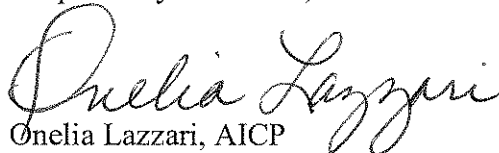
- 10. Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy; and,**

Yes. The proposed land use amendment will allow the continuation of an ongoing urban use with private jobs on a developed site. The property was annexed into the City of Gainesville and now requires City land use and zoning per the Comprehensive Plan.

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


This is not applicable because the property does not contain a subdivision.

Respectfully submitted,



Onelia Lazzari, AICP
Principal Planner

Prepared by:



Andrew Persons, LEED GA
Senior Planner

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Table 1

Adjacent Existing Uses

North	Undeveloped land within City of Gainesville
South	Warehouses, offices
East	SW 41 st Blvd., Warehouses, fleet service shops, building material supply
West	Undeveloped land within Alachua County

Adjacent Zoning and Land Use and Zoning

	Land Use Category	Zoning Category
North	Business Industrial	Business industrial (BI) district
South	Alachua County: Industrial services and manufacturing (MS)	Alachua County: Heavy Industrial
East	Alachua County: Industrial services and manufacturing (MS)	Alachua County: Heavy Industrial
West	Alachua County: Agriculture	Alachua County: Heavy Industrial

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List of Appendices

Appendix A Comprehensive Plan GOPs

Exhibit A-1 Comprehensive Plan GOPs

Appendix B Supplemental Documents

Exhibit B-1 Aerial Photograph

Exhibit B-2 Map: Existing Land Use

Exhibit B-3 Map: Proposed Land Use

Appendix C Application

Exhibit C-1 Application