

LEGISLATIVE #

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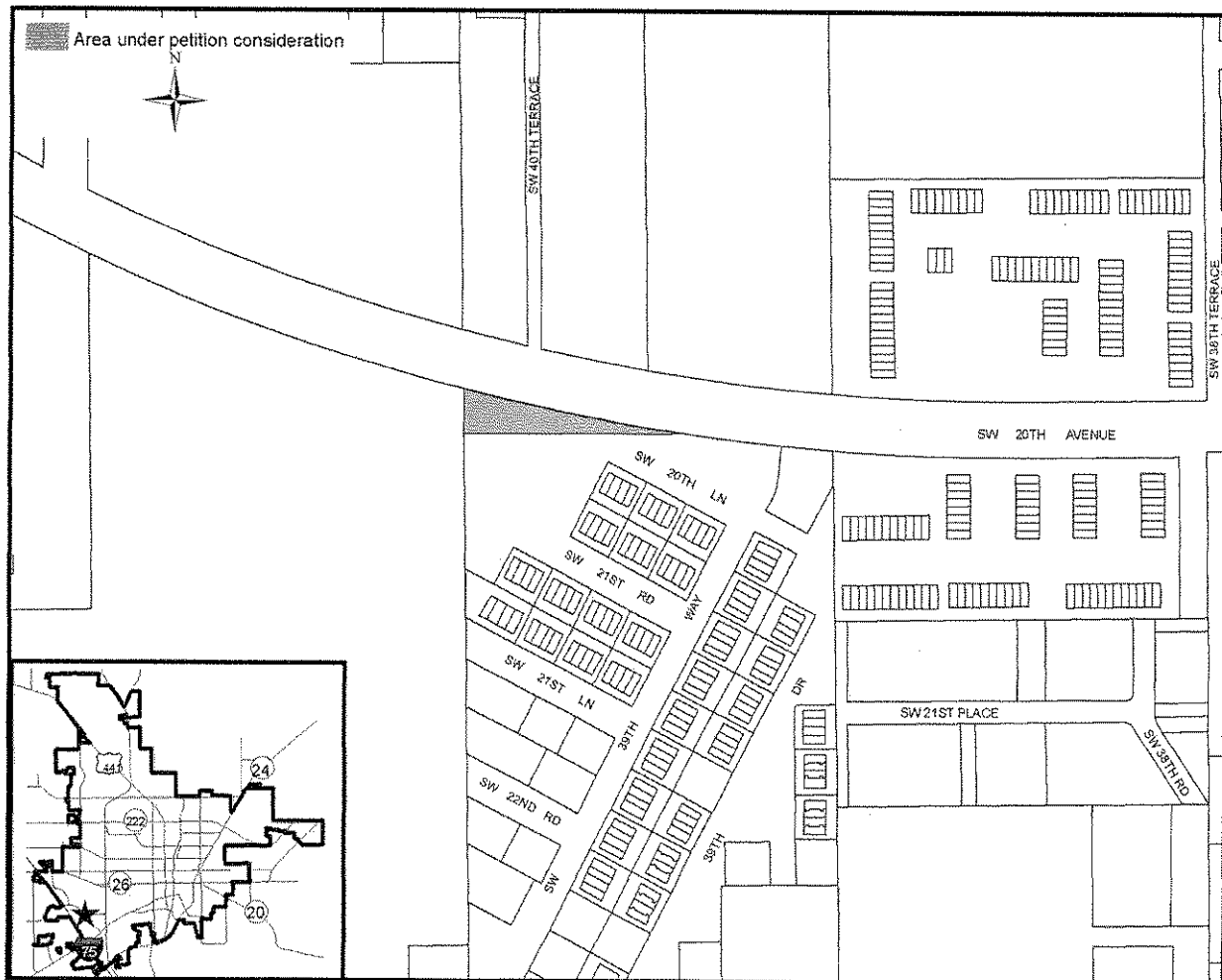
TO: City Plan Board **Item Number:** 4

FROM: Planning & Development Services Department **DATE:** Nov. 1, 2011
 Staff

SUBJECT: Petition PB-11-126 ZON. City Plan Board. Rezone the property from Alachua County Planned development (PD) district to City of Gainesville Public services and operations (PS) district. Located at 4035 SW 20th Avenue.

Recommendation

Staff recommends approval of Petition PB-11-126 ZON, waiving the requirement for a preliminary development plan, and approval of the uses and conditions recommended in the staff report.



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Description

This zoning petition pertains to an approximately 0.34-acre property located (see map on page 1) at 4035 SW 20th Avenue. This narrow, triangular property that abuts SW 20th Avenue 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 20th Avenue and SW 24th Avenue, west of SW 34th Street.

This small, narrow property (which tapers from approximately 86 feet to zero feet in width along its approximately 339-foot length along SW 20th Avenue) is used as a telecommunications facility (in a 240 square-foot, single-story, unstaffed building containing equipment only). It contains a utility easement (UE-035-72) in which GRU water and sewer lines are located, and through which gas lines or GRUCOM fiber optic cables can be located if needed in the future. The property is on the south side of SW 20th Avenue, across from the Madison on 20th apartment complex. The property is at the east side of the entrance to the Madison Lane apartment complex, and is on the north side of the Mill Run condominium complex, from which it is separated by a wooded area and a wetland.

Alachua County High Density Residential (14-24 DU/acre) land use is to the north and west, where it is implemented by Alachua County Planned development (PD) zonings. Alachua County Medium High Density Residential (8-14 DU/acre) land use is to the south, where it is implemented by an Alachua County Planned development (PD) zoning. SW 20th Avenue is to the east. (See Table 1 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).

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. This small, triangular property used by AT&T as a telecommunications facility (electronic hub location in which voice and other data move from fiber optic to copper wire for distribution to customers) has limited development potential due to its small size, configuration and location. The staff recommendation is that the uses to be allowed by the PS zoning ordinance be telecommunications facilities, utility buildings or facilities as defined in Section 30-23 of the Land Development Code, stormwater management facilities, and any use customarily incidental to any permitted principal use. These uses are generally compatible with the existing telecommunications facility use.

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 telecommunications facility and utility easements.

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:

Future Land Use Element

Objective 3.3

Provide adequate land for utility facilities and that utility facilities be available concurrent with the impacts of development using the following policies.

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 existing telecommunications facility and utility easements, 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 telecommunications facilities, utility buildings or facilities (as defined by Sec. 30-23), stormwater management facilities, and any use customarily incidental to any permitted principal use. These additional uses are generally compatible with the existing telecommunications facility.

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 existing telecommunications facility property is compatible with and will have no negative impact upon the adjacent properties and surrounding area. See Table 1 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. The existing building on the property contains equipment only and is not staffed.

Environmental Impacts and Constraints

There are no major environmental issues associated with the proposed rezoning to PS for this small telecommunications facility. There are also no major environmental issues associated with the other uses proposed for this PS rezoning.

Recommended Uses and Conditions

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

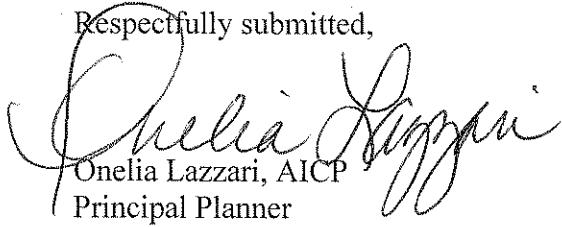
1. Telecommunications facilities;
2. Utility buildings or facilities (as defined by Section 30-23 of the Land Development Code);
3. Stormwater management facilities;
4. Any use customarily incidental to any permitted principal use.

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.

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Respectfully submitted,



Onelia Lazzari, AICP
Principal Planner



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Lead Planner

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Table 1**Adjacent Existing Uses**

North	Multi-family residential (Madison on 20 th apartments)
South	Multi-family residential (Mill Run condominiums)
East	SW 20 th Avenue
West	Multi-family residential (Madison Lane apartments)

Adjacent Zoning and Land Use

	Zoning Category	Land Use Category
North	Alachua County PD (Planned development district)	UMU-2 pending. (Now Alachua County High Density Residential (14-24 DU/acre))
South	Alachua County PD (Planned development district)	UMU-2 pending. (Now Al. Co. Medium High Density Residential (8-14 DU/acre))
East	N/A	N/A
West	Alachua County R-3 (Multiple family, high density district)	UMU-2 pending. (Now Al. Co. High Density Residential (14-24 DU/acre))

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List of Appendices

Appendix A - Land Development Code

Exhibit A-1 – Section 30-23. Definitions – *Utility building or facility*

Exhibit A-2 – 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