



PLANNING & DEVELOPMENT SERVICES DEPARTMENT

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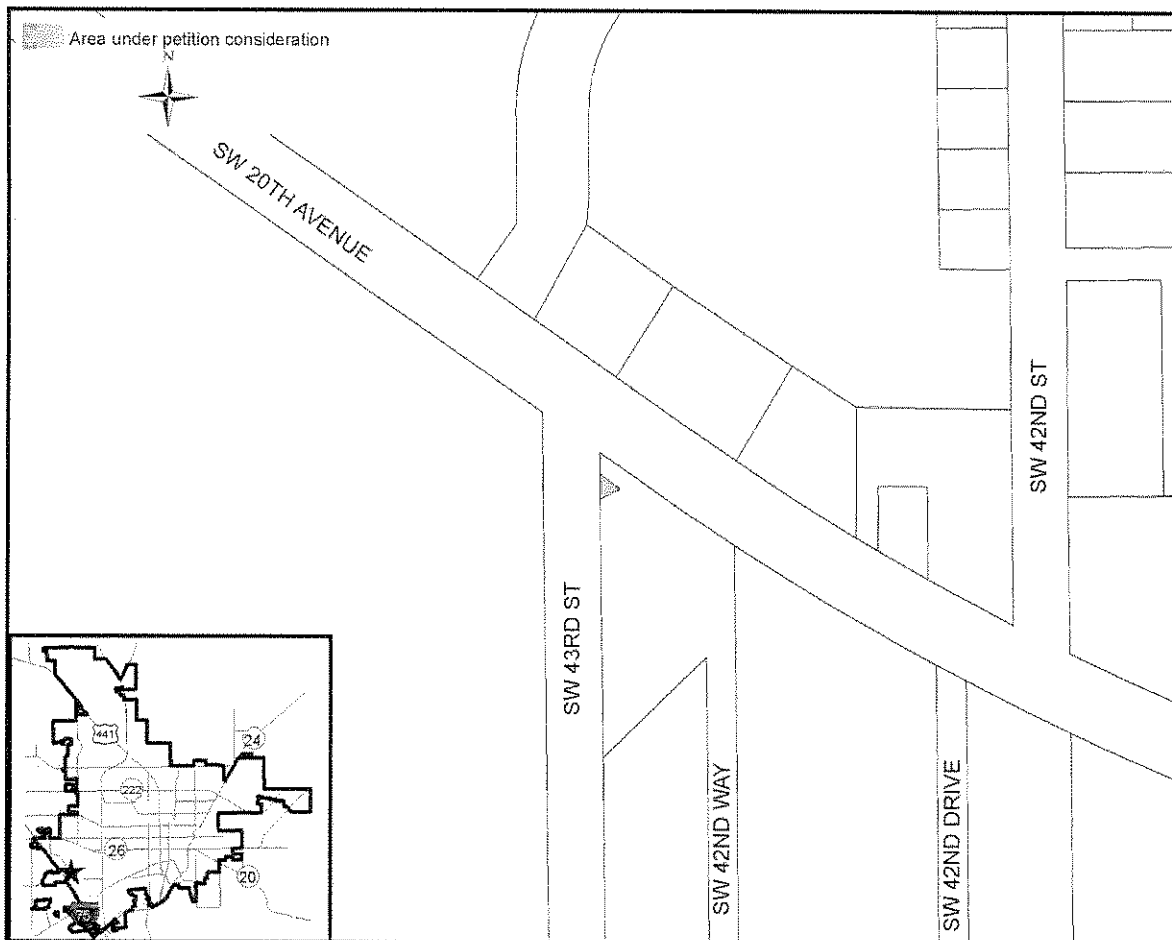
TO: City Plan Board **Item Number:** 3

FROM: Planning & Development Services Department **DATE:** July 26, 2012
Staff

SUBJECT: PB-12-76 ZON, City Plan Board. Rezone annexed property (Tax parcel No. 06746-033-001) from Alachua County Planned development (PD) district to City of Gainesville Public services and operations (PS) district. Located on the east side of SW 43rd Street, approximately 31 feet from the south right-of-way of SW 20th Avenue.

Recommendation

Staff recommends approval of Petition PB-12-76 ZON and waiving the requirement for a preliminary development plan for all existing uses at the site.



Description

This request is to change the zoning on the property from Alachua County Planned Development district (PD) to City of Gainesville Public services and operations district (PS). The approximately 497 square foot property is located at the east side of SW 43rd Street, approximately 31 feet from the south right-of-way of SW 20th Avenue. The triangular shaped property was deeded to Alachua County on January 12, 2011 by the Venture Apartments Planned Development to supplement the existing stormwater management facility serving SW 20th Avenue. This zoning change is required to apply a City of Gainesville zoning designation on property that was annexed into the City as part of the Urban Village annexation that occurred in June 2009. The entire Urban Village area covers approximately 396 acres of southwest Gainesville in the area of SW 20th Avenue and SW 24th Avenue, west of SW 34th Street.

The proposed PS zoning was selected for consistency with the current use of the property and is consistent with the Urban Mixed-Use 2 future land use category.

Please see the map on page 1 for the general location of the subject property, and Appendix B for the full map series.

Key Issues

- City of Gainesville zoning designations must be applied to annexed properties.
- The site is located within the Urban Village area.
- The PS zoning designation was chosen for the 497 square foot site because it is compatible with the existing City of Gainesville Urban Mixed-Use 2 land use, as well as with the current use of the site for stormwater management.
- Staff recommends that the requirement for a preliminary development plan be waived for all of the existing uses at the site because they are an existing condition.

Recommended Uses and Conditions

The proposed list of permitted uses by right for this site includes:

- Stormwater retention and treatment;
- Utility transmission and distribution lines;
- Utility buildings or facilities as defined in Section 30-23 of the Land Development Code; and
- Accessory uses customarily and clearly incidental to any permitted principal use.

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

1. Changes to the site involving expansion of existing uses or new uses 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.

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 existing Urban Mixed-Use 2 land use adopted by the City Commission on November 3, 2011 in Ordinance 100698.

The following comprehensive plan policies are relevant to this petition:

Stormwater Management Element

Goal 1

Design, construct and maintain a stormwater management system that reduces the incidence of flooding and protects, preserves and enhances desirable water quality conditions, and to the maximum extent feasible, preserves and utilizes existing natural systems.

Future Land Use Element

Objective 3.4

The City shall ensure that services and facilities needed to meet and maintain the LOS standards adopted in this Plan are provided.

2. Conformance with the Land Development Code

The proposed rezoning is consistent with the Land Development Code. The PS zoning district is established for the purpose of identifying and providing suitable locations for the necessary public and private utilities that serve and are used by the public for their own benefit and are necessary to the normal conduct of the community's activities. Additionally, 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. As stated previously, the 497 square foot property was deeded to Alachua County to supplement the existing stormwater management facility serving SW 20th Avenue. The staff recommendation is to limit the uses allowed by the PS zoning ordinance to stormwater management facilities, utility transmission/distribution lines, utility buildings and facilities, and any use customarily incidental to any permitted principal use.

3. Changed Conditions

The property was annexed in 2009 and 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 stormwater management facility serving SW 20th Avenue 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 to PS.

Environmental Impacts and Constraints

There are also no major environmental issues associated with the uses proposed for this PS rezoning.

Respectfully submitted,


Onelia Lazzari
Principal Planner

Prepared by:



Andrew Persons, LEED Green Associate
Senior Planner

Table 1

Adjacent Existing Uses

North	SW 20 th Avenue, stormwater facility (swale)
South	Venture Apartments recreation common area
East	Stormwater facility (swale)
West	SW 43 rd Street, ACFR Station 19, Forest Park recreation area

Adjacent Zoning and Land Use

	Zoning Category	Land Use Category
North	UMU-2 (Pending PB-12-73 ZON)	City of Gainesville UMU-2
South	UMU-2 (Pending PB-12-73 ZON)	City of Gainesville UMU-2
East	UMU-2 (Pending PB-12-73 ZON)	City of Gainesville UMU-2
West	City of Gainesville PS (Pending PB-12-38 ZON)	City of Gainesville Public Facilities and Recreation

List of Appendices

Appendix A Land Development Code

Exhibit A-1 Public services and operations district purpose, objectives, and permitted uses

Appendix B Supplemental Documents

Exhibit B-1 Existing Zoning Map

Exhibit B-2 Proposed Zoning Map

Exhibit B-3 Aerial Map

Appendix C Application

Exhibit C-1 Zoning Application

Exhibit C-2 Sketch

Exhibit C-3 Legal Description