

CITY
-----OF----- INTER-OFFICE COMMUNICATION
GAINESVILLE

Item No.: 1

TO: City Plan Board **DATE:** April 20, 2006

FROM: Planning Division Staff

SUBJECT: Petition 172LUC-05PB, City Plan Board. Amend the City of Gainesville Future Land Use Map from Alachua County Low Density Residential to City of Gainesville CON (Conservation) on annexed property. Located in the 900 block of Southwest 34th Street. Related to Petition 173ZON-05PB.

Recommendation

Planning Division staff recommends approval of Petition 172LUC-05PB.

Explanation

The subject property is located west of SW 34th Street in the 900 block (see Map 1). The property proposed for the land use change is approximately 13 acres in size and is composed of three tax parcels. This property was annexed into city limits on November 14, 2005. This petition is being proposed in order to bring the parcel under the City's land use and zoning regulations (as is required for all annexed properties).

The property is vacant, and all three parcels are located in the 10-year Flood Channel. The Land Development Code (Sec. 30-286) prohibits permanent structures or fills in the flood channel district except structures and fills designed for flood prevention and control, streets, bridges, and sanitary sewer lift stations and utility lines. There is currently no vehicular access to these parcels.

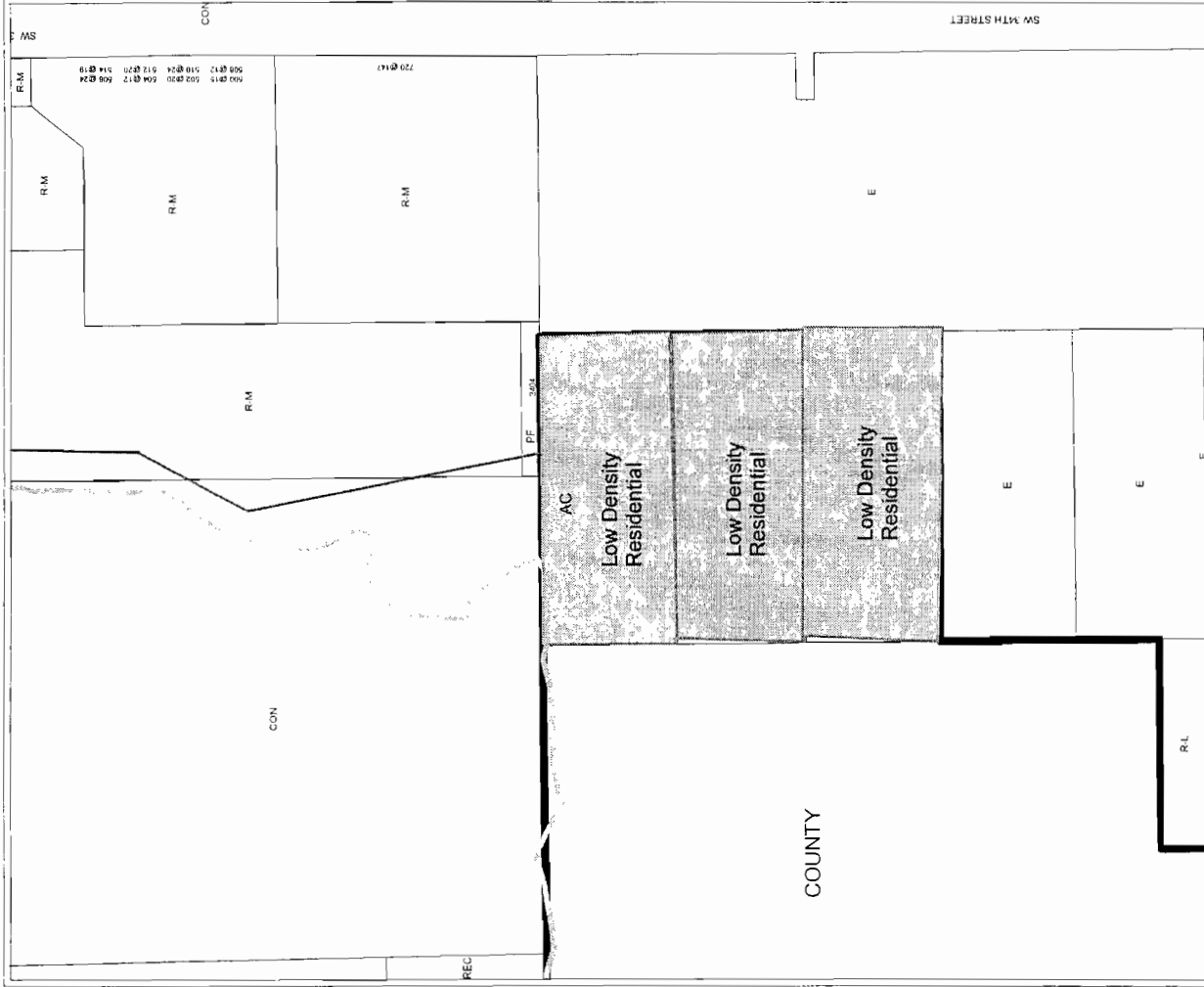
The current Future land use category designation on this parcel is Alachua County Low Density Residential. The existing zoning is Alachua County Agriculture; see related Petition 173ZON-05PB. The petition proposal is to change the Future Land Use category to City of Gainesville category Conservation.

Land Use Designations

- SF Single Family (up to 8 units per acre)
- RL Residential Low Density (up to 12 units per acre)
- RM Residential Medium Density (8-30 units per acre)
- RH Residential High Density (8-100 units per acre)
- MUR Mixed Use Residential (up to 75 units per acre)
- MUL Mixed Use Low Intensity (10-30 units per acre)
- MUM Mixed Use Medium Intensity (14-30 units per acre)
- MUH Mixed Use High Intensity (up to 150 units per 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

Name	Petition Request	Map(s)	Petition Number
City of Gainesville	From Low Density Residential (Alachua County) to CON (City of Gainesville)	4145	172LUC-05PB



No Scale

The parcels to the north of the subject parcels are designated PF (Public Facilities) and CON (a portion of the Hogtown Greenway). To the south and east, properties have an E (Education) land use category consistent with the University of Florida ownership of the land. To the west, the land is designated Alachua County Low Density Residential.

Consistency with the Comprehensive Plan

Policy 4.1.3 of the Future Land Use Element provides guidance for proposed changes to the Future Land Use Map. Planning staff finds that the proposed change to Conservation for this property can be supported for several reasons:

1. The land use change to Conservation proposed is consistent with the environmental circumstances on the property (located in the 10-Year Flood Channel).
2. The land use change is compatible with both the use and designations of the abutting Hogtown Creek Greenway land north of the site.
3. The Conservation designation will protect this property from negative environmental impacts.
4. The land use change to Conservation is in the best interests of the City since this area was annexed recently and must be brought under City regulations for both land use and zoning. Since the two northern parcels are owned by the City and are proposed to be added as an extension to the Hogtown Creek, the Conservation designation is appropriate for that use.

Staff finds that the proposed change is consistent with the City's Comprehensive Plan goals, objectives, and policies.

Applicant Information

City Plan Board

Request

Amend the Future Land Use Map from Alachua County Low Density Residential to City of Gainesville CON (Conservation).

Existing Land Use Plan Classification

Alachua County Low Density Residential

Existing Zoning

Alachua County Agricultural

Purpose of Request

Amend the land use category so that the property can be brought under City of Gainesville land use regulations.

Location 900 block of SW 34th Street, west side

Size 13 acres MOL

Existing Use Vacant land

Surrounding Land Uses

- North - Hogtown Creek Greenway land & Public Facilities
- East - University of Florida property
- South - University of Florida property
- West - Vacant

<u>Surrounding Controls</u>	<u>Existing Zoning</u>
North	PS (Public Service) and Conservation
East	Education
South	Education
West	Alachua Co. Agriculture

<u>Surrounding Controls</u>	<u>Future Land Use Category</u>
North	Conservation and Public Facilities
East	Education
South	Education
West	Alachua Co. Low Density Residential

Impact on Adopted levels of service

None. Because the property will not be developed, there are no impacts on adopted levels of service.

Impact on Affordable Housing

None. Given the Flood Channel designation, this property is not suitable for residential development.

Respectfully submitted,



Ralph Hilliard
Planning Manager

RH:ORL

Onelia Lazzari, AICP
Senior Planner
Department of Community Development
Planning Division
P.O. Box 490
Gainesville FL 32602-0490

Parcel ID: 06695-000-000

RE: Petition 172LUC-05 PB and 172ZON-05 PB

Dear Ms. Lazzari:

I appreciate that you have given me more time to respond. The materials you sent me have been very helpful for me to understand the situation.

In the past few days, I have the opportunity to discuss with Larry at Rainforest Biodiversity group about the possible use for this parcel. Currently this group travels to Costa Rica to study rainforest biodiversity. The group would like to establish a small base at the parcel. They want to cut down the number of trips to Costa Rica. They think the flooding, if any, would not diminish the value of the study. The parcel is an attractive site for them because it is near the campus.

The idea sounds promising. I particularly like it because the parcel can be put into use to benefit the environment. I am sure that we can find other creative use for this parcel in the future. The key is to keep this parcel in flexible zoning. Changing the zoning and use to conservation would too severely restrict this land.

This parcel currently has some access through the University's parcels. I think we can work out the access issue with the University.

May I propose that this parcel be zoned as Education?

The immediate surrounding parcels are already zoned Education. Why not this one? Please help us to change the zoning to Education. It makes absolutely logical sense to convert the zoning to Education. There is a strong likelihood that this parcel would be dedicated for Educational purpose in the end. Keeping it in Educational zoning would make the process so much easier.

I appreciate your favorable response.

Hat Lau

Hat Lau

1046 Huntingdon Drive San Jose CA 95129
Phone: 408-973-1199 Fax: 408-850-9509
hatlau@hotmai.com

DRAFT

050766

Petition 172LUC-05 PB

City Plan Board. Amend the City of Gainesville Future Land Use Map from Alachua County Low Density Residential to City of Gainesville CON (Conservation) on annexed property. Located in the 900 block of Southwest 34th Street, west side. Related to Petition 173ZON-05 PB.

Mr. Dean Mimms made the staff presentation. He explained that three undeveloped properties were annexed into the City in November 2005, that are in the 10-year flood channel, and, under the City's floodplain ordinance, cannot be developed. He said staff recommended Conservation zoning. He stated the two northern parcels are owned by the City and will become part of the Hogtown Creek Greenway and are part of the Hogtown Creek drainage. He explained the third property is private and the City land use and zoning petitions for the property had been postponed so staff could respond to the landowner's concerns and questions.

Mr. Mimms read what the Land Development Code prohibits in the flood channel, and noted that there is no vehicular access to the properties. He noted that the County land use was residential low, the lowest density of the County, with accompanying Agriculture. He showed some slides of the property, and pointed out that the area was very wet.

Mr. Cohen stated that there was a letter from Mr. Lau, the private owner that requested that the parcel be rezoned as education.

Mr. Mimms explained that staff has discussed that request with Mr. Lau, and repeated the staff position that there is no prospect for development on the property. Mr. Mimms added that the University has expressed no interest in the land and it is not part of the Campus Master Plan. He added that to classify the property any differently, the property owner would have to present competent substantial evidence that this area is not in the 10-year flood channel.

Mr. Polshek asked whether the CON classification would prevent the construction of a temporary structure.

Mr. Mimms stated that the Flood Plain Channel district would prevent construction of a structure, which highly limits what could be built on the property.

Mr. Reiskand asked if an extension of Radio Road was contemplated in the future.

Mr. Mimms replied that is a long-range plan tied into the long-range transportation plan of the community. He stated that at the next MTPO meeting, Professor Gold's study of the student village area would be presented and the road alignment would be discussed.

Mr. Larry Barron, representing Mr. Lau, was recognized. He said Mr. Lau would be interested in opening a nature trail that is handicapped accessible on the property. He stated that they would work with Florida Trails to get some ideas about elevated walkways with a barrier free access for children from the Ronald McDonald House to come to the property. He said they are investigating issues about accessibility. He asked for an extension of time on this petition before a decision is made.

Chair Cole asked if there would be any benefit in postponing the decision or could the owner of that property still pursue their interests if a decision is made on the petition.

Mr. Mimms stated that the designation has nothing to do with the ownership of the property and the petition had already been postponed. He pointed out that it is a large-scale plan amendment and there would be further hearings before the City Commission. Mr. Mimms stated that staff would be happy to meet with Mr. Barron.

Mr. Reiskind asked for assurance that the decision would have no affect on the use of the property. Mr. Mimms stated that the petitioners had not mentioned any uses that would not fit into the conservation zoning district. He reiterated that the issue was the flood channel. He stated there might be a possibility that a boardwalk or some sort of nature trail could be built on the edge of the flood channel, however, the action of the Board would have no bearing on any exploration.

<u>Motion By:</u> Mr. Cohen	<u>Seconded By:</u> Mr. Polshek
<u>Moved to:</u> Approve Petition 172LUC-06 PB.	<u>Upon Vote:</u> Motion Carried 6 – 0 Aye: Cohen, Polshek, Reiskind, Tecler, McDonell, Cole

050767

Petition 173ZON-05 PB

City Plan Board. Rezone property from Alachua County Agriculture to City of Gainesville CON (Conservation district) on annexed property. Located in the 900 block of Southwest 34th Street, west side. Related to Petition 172LUC-05 PB.

Petition 173ZON-05 PB was discussed with the related petition, Petition 172LUC-05 PB.

<u>Motion By:</u> Mr. Cohen	<u>Seconded By:</u> Mr. Polshek
<u>Moved to:</u> Approve Petition 173ZON-05 PB.	<u>Upon Vote:</u> Motion Carried 6 – 0 Aye: Cohen, Polshek, Reiskind, Tecler, McDonell, Cole

DRAFT