

090487β

# Rezoning Report

for

4306 NW 13<sup>th</sup> Street  
and  
4322 NW 13<sup>th</sup> Street

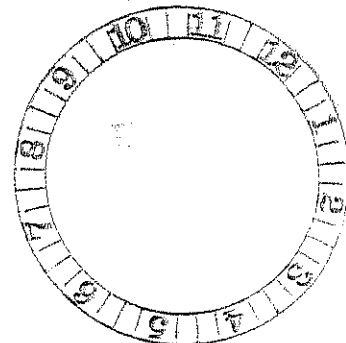
for

William and Jo Beaty

Gainesville, Florida

Date

August 14, 2009



**BROWN &  
CULLEN  
INC.**

CIVIL ENGINEERS  
and  
LAND PLANNERS

3530 N.W. 43<sup>rd</sup> Street  
Gainesville, FL 32606

Phone: (352) 375-8999 Fax: (352) 375-0833  
E-mail: bci@brown-cullen.com

State of Florida Board of Professional Engineering  
Certificate of Authorization No. 8263

Stuart I. Cullen, P.E. (FL Registration No. 51337)

**Table of Contents**

1.0	Statement of Proposed Change .....	1
1.1	Existing Zoning Designations.....	1
2.0	Responses to Application Questions .....	2
2.1	Vacant Property Analysis.....	2
2.2	Nonresidential Impacts .....	2
2.2.1	Impact on Residential Streets .....	2
2.2.2	Impact on Noise and Lighting .....	2
2.3	Environmental Impacts .....	2
2.4	Community Contributions.....	2
2.5	Level of Service Impacts.....	3
2.5.1	Roadways .....	3
2.5.2	Recreation .....	3
2.5.3	Water and Wastewater .....	3
2.5.4	Solid Waste.....	3
2.6	Transit, Bikeways, Pedestrian Amenities .....	3

**Figures**

- Figure 1 Future Land Use Map
- Figure 2 Zoning Map
- Figure 3 Aerial Map
- Figure 4 Environmental Features Map
- Figure 5 Regional Transit System Route Map

**Tables**

Table 1	Surrounding Property Designations and Use.....	1
---------	--	---

### 1.0 Statement of Proposed Change

This Rezoning proposes a change of the zoning category for two (2) properties along NW 13<sup>th</sup> Street. One property is owned by William and Jo Beaty, while William Beaty is the trustee for the other property titled as the Elizabeth Beaty Life Estate, his late mother. The entire southern property (4306) and a portion of the northern property (4322) are proposed to be changed. The remaining portion of the northern property will remain with its current residential zoning category. Each of the parcels are approximately 1.47 acres, for a combined 3.0 acre total, and are currently zoned BUS. The proposed zoning is BA to permit automotive-oriented business uses on the property.

The properties are located on NW 13<sup>th</sup> Street north of the City's Central Corridor District. The zoning categories of the land along the west side of the NW 13<sup>th</sup> Street corridor are primarily BA, with these two properties as the exception. The corridor contains a mixture of commercial and office uses. The Future Land Use, zoning and existing use of the immediately adjacent properties are listed below.

**Table 1: Surrounding Property Designations and Use**

Direction	Future Land Use	Zoning	Property Use
North	Commercial	BA	Business
South	Commercial	BA	Business – Automotive Junkyard
East	Mixed Use	MU-1	Business – Retail
West	Residential	RSF-1	Single Family Residences

These properties were rezoned many years ago to the BUS category. Adjacent properties did not change, and the area has remained business automotive-oriented. Current and future uses of these properties would be more compatible with the Automotive-Oriented Business zoning category, therefore the owners wish to return the 13<sup>th</sup> Street corridor to a consistent zoning category.

### 1.1 Existing Zoning Designations

According to Section 30-62 of the Land Development Code, the objectives for the BA zoning category include:

- (1) Encourage automotive-oriented business development to occur along major transportation arteries where sites are adequate for an integrated design of automotive services and where such development could most adequately serve the needs of the community's residents without resorting to excessive quantities of strip development;
- (2) Provide for, and accommodate as efficiently as possible, those commercial land uses commonly associated with automotive business and, therefore, prevent the indiscriminate application of this district along the community's arteries;
- (3) Minimize traffic congestion on public streets;
- (4) Ensure, through development plan approval, that major commercial developments are designed to promote the most efficient use of the land, as well

090487B

as establish a harmonious relationship between such development and its environment;

(5) Require appropriate buffering or screening around such development, to maintain its compatibility with adjacent and surrounding land uses;

(6) Discourage, as much as possible, any encroachment by industrial, residential and commercial uses generally understood to be capable of adversely affecting the basic commercial automotive characteristics of the district; and

(7) Permit outdoor storage and sale of retail goods.

The properties are located along NW 13<sup>th</sup> Street, a major transportation artery adequate for an integrated design of automotive services. As the sites are developed, they currently provide for commercial land uses commonly associated with automotive businesses, and serve to minimize traffic congestion on public streets. Although the western edge of this corridor is adjacent to residential areas, the change from BUS to BA will not adversely affect the adjacent uses.

## **2.0 Responses to Application Questions**

### **2.1 Vacant Property Analysis**

*Are there other properties or vacant buildings within ½ mile of the site that have the proper land use and/or zoning for your intended use of this site?*

Yes, there are properties and/or vacant buildings that provide the same zoning, however, the location and configuration of the buildings are different. This rezoning requests a change to conformity and to enhance compatibility.

### **2.2 Nonresidential Impacts**

*If the request involves nonresidential development adjacent to existing or future residential, what are the impacts of the proposed use of the property on the following: Residential streets & Noise and lighting.*

#### **2.2.1 Impact on Residential Streets**

The properties do not provide access to residential streets; therefore there will be no impact.

#### **2.2.2 Impact on Noise and Lighting**

No additional development is proposed at this time, therefore there will be no additional impact on noise or lighting.

### **2.3 Environmental Impacts**

*Will the proposed use of the property be impacted by any creeks, lakes, wetlands, native vegetation, greenways, floodplains, or other environmental factors or by property adjacent to the subject property?*

There are no creeks, lakes, wetlands, greenways, or floodplains on the portions of the properties to be rezoned. The properties are located within the Tertiary Wellfield Protection Zone (Figure 4).

### **2.4 Community Contributions**

*Explanation of how the proposed development will contribute to the community.  
What are the potential long-term economic benefits (wages, jobs & tax base)?*

The rezoning will allow appropriate uses to remain and others to occupy the properties on the NW 13<sup>th</sup> Street corridor. Occupied buildings contribute to the economic engine of the City.

## 2.5 Level of Service Impacts

### 2.5.1 Roadways

The properties are located in Transportation Concurrency Exception Area (TCEA) Zone B and must meet the standards in Concurrency Management Element Policies 1.1.5 and 1.1.6 if additional development occurs. As no additional development is proposed at this time, an evaluation of LOS is not warranted.

### 2.5.2 Recreation

Recreation Level of Service is based on population and is measured when residential density is increased which does not apply to rezonings.

### 2.5.3 Water and Wastewater

The property is currently served with both water and wastewater by Gainesville Regional Utilities. No additional development is proposed, therefore the rezoning will not adversely impact the level of service.

### 2.5.4 Solid Waste

Solid waste generation will not exceed the City's established level of service of 0.655 tons of solid waste per capita per Objective 1.4 of the Solid Waste Element.

## 2.6 Transit, Bikeways, Pedestrian Amenities

The site is located on to NW 13<sup>th</sup> Street which is accessible by both transit and pedestrian facilities. Transit route 6 serves the site and a transit stop is located on the western side of NW 13<sup>th</sup> Street. Route 6 runs from downtown to the Gainesville Mall via NW 13<sup>th</sup> Street and has one hour headways from 6 a.m. to 7 p.m. on weekdays.

Additionally, sidewalks are present on both the east and west side of NW 13<sup>th</sup> Street which connect the site to mixed use areas along NW 13<sup>th</sup> Street.

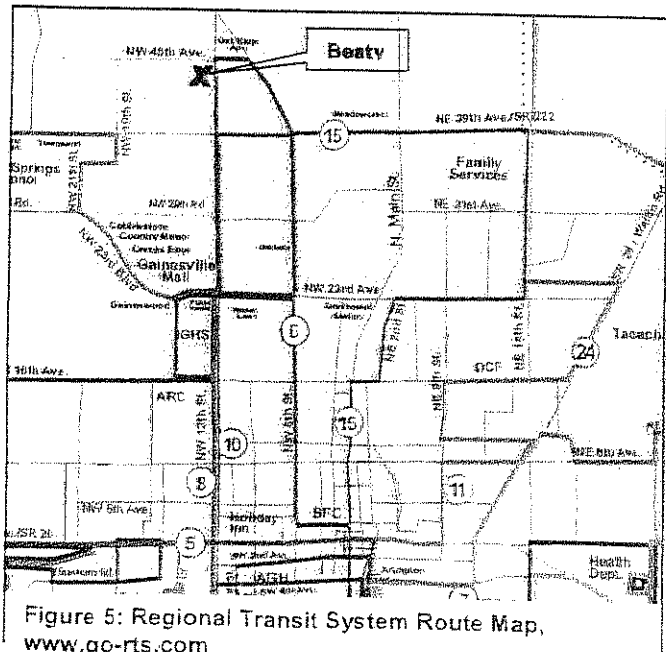


Figure 5: Regional Transit System Route Map, [www.go-rt.com](http://www.go-rt.com)

**LEGEND**

- Machine Tax Parcel
- Project Boundary
- Future Land Use
- Commercial
- Conventional
- Industrial
- Mixed Use Low Intensity
- Office
- Public Facilities
- Residential Low Density
- Residential Medium Density
- Single Family

**NOTES**

**LOCATOR**

0 100 200 Feet

CLIENT: Remly

PROJECT: Parcel Rezoning

SHEET TITLE: Figure 1 - Future Land Use Map

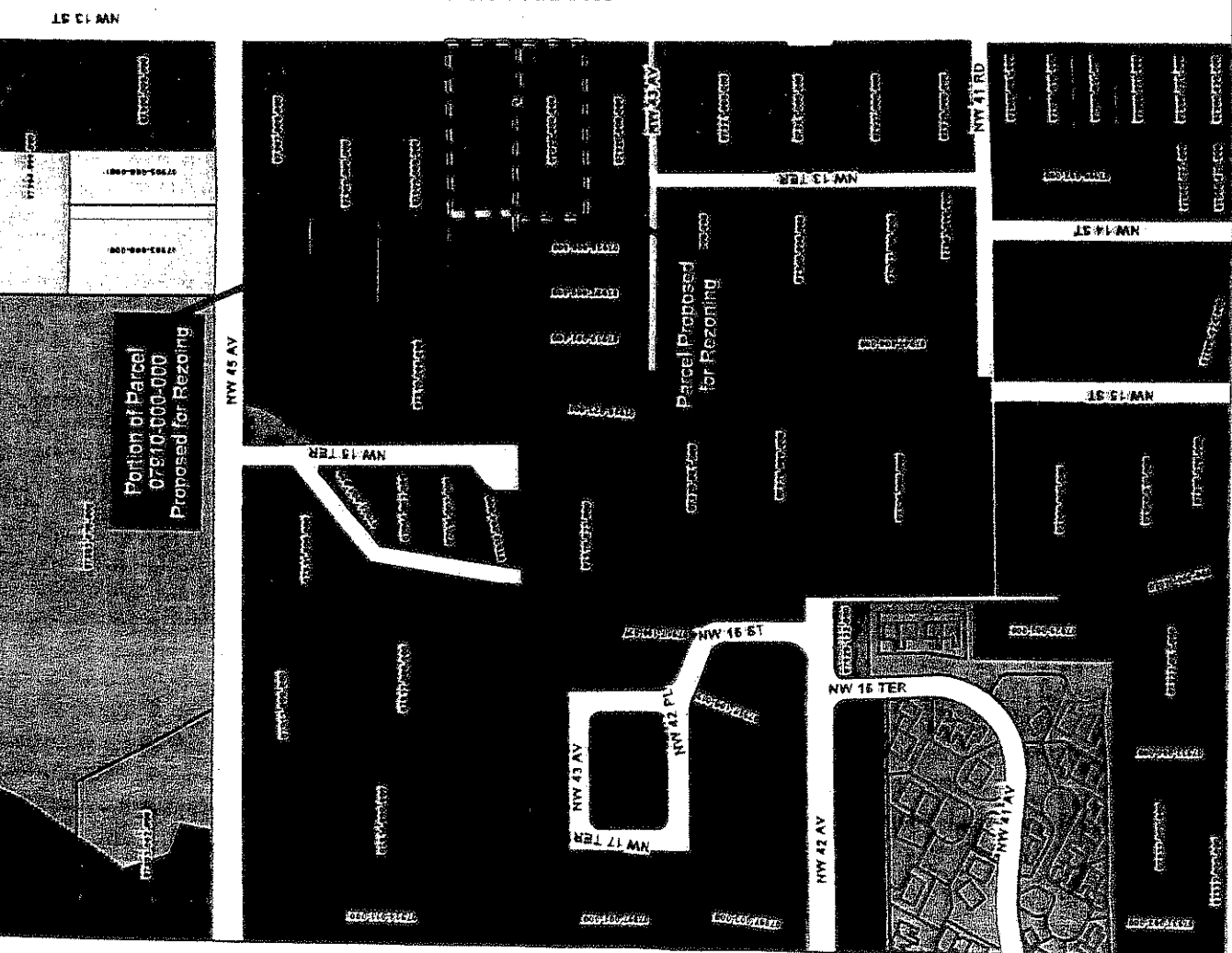
BRONKHORST ENGINEERING & ARCHITECTURE, INC.

10000 15th Avenue, Suite 100, Denver, CO 80202

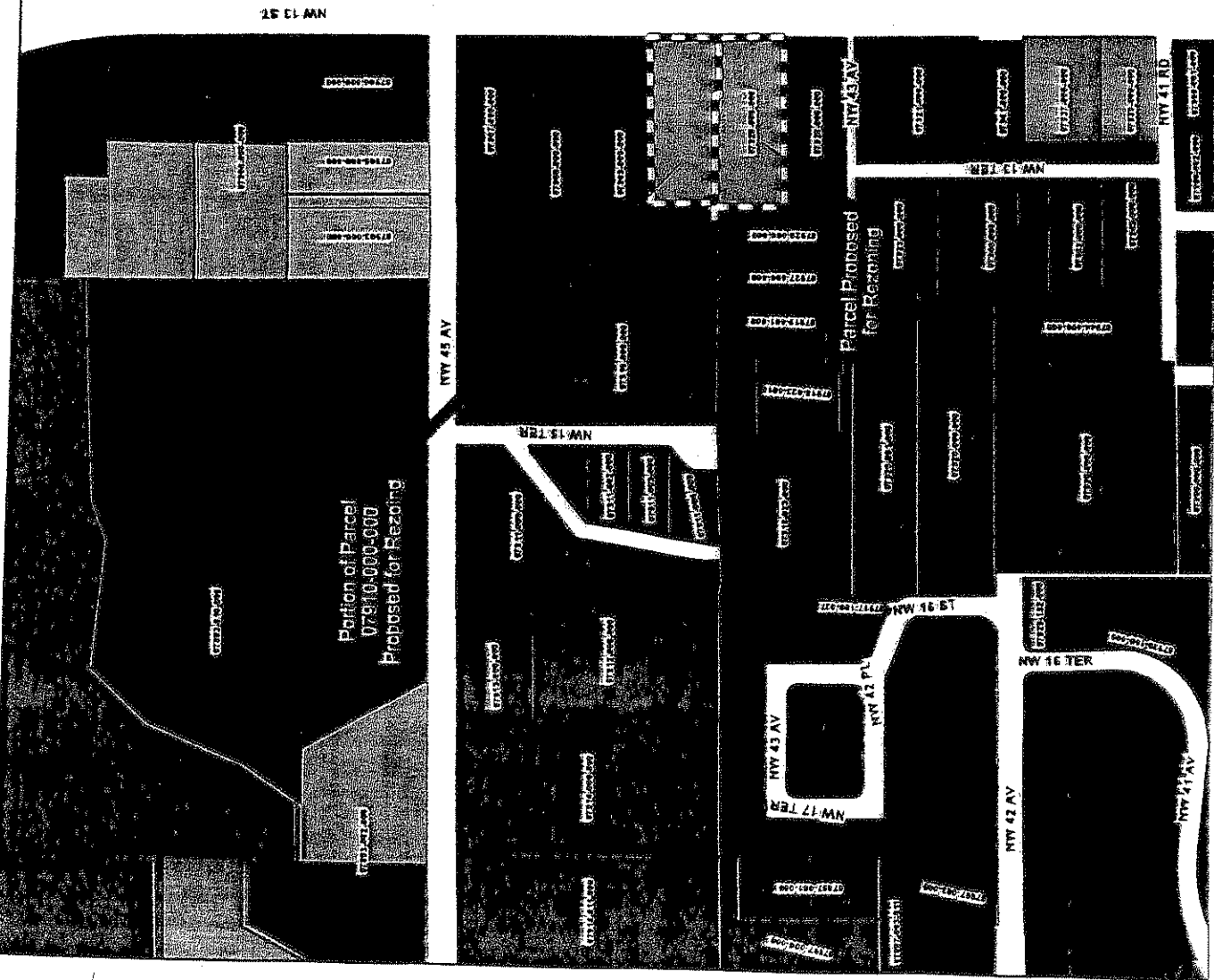
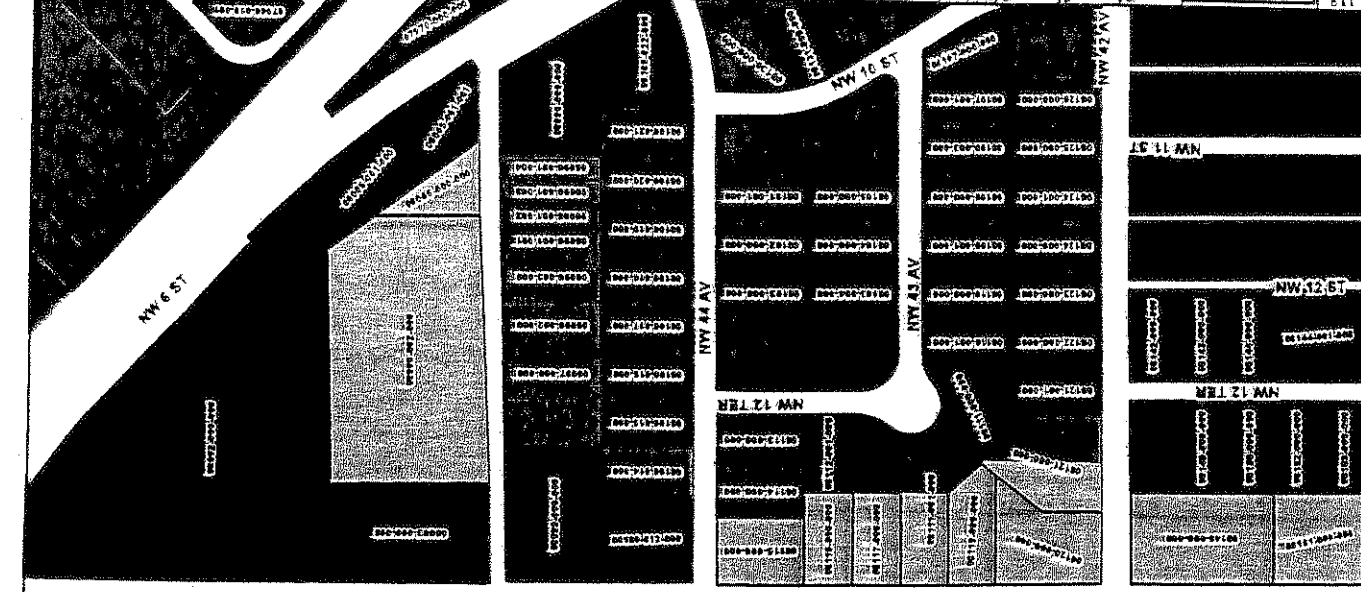
Phone: (303) 751-1000

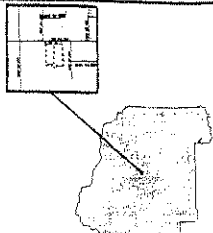

Fax: (303) 751-1001

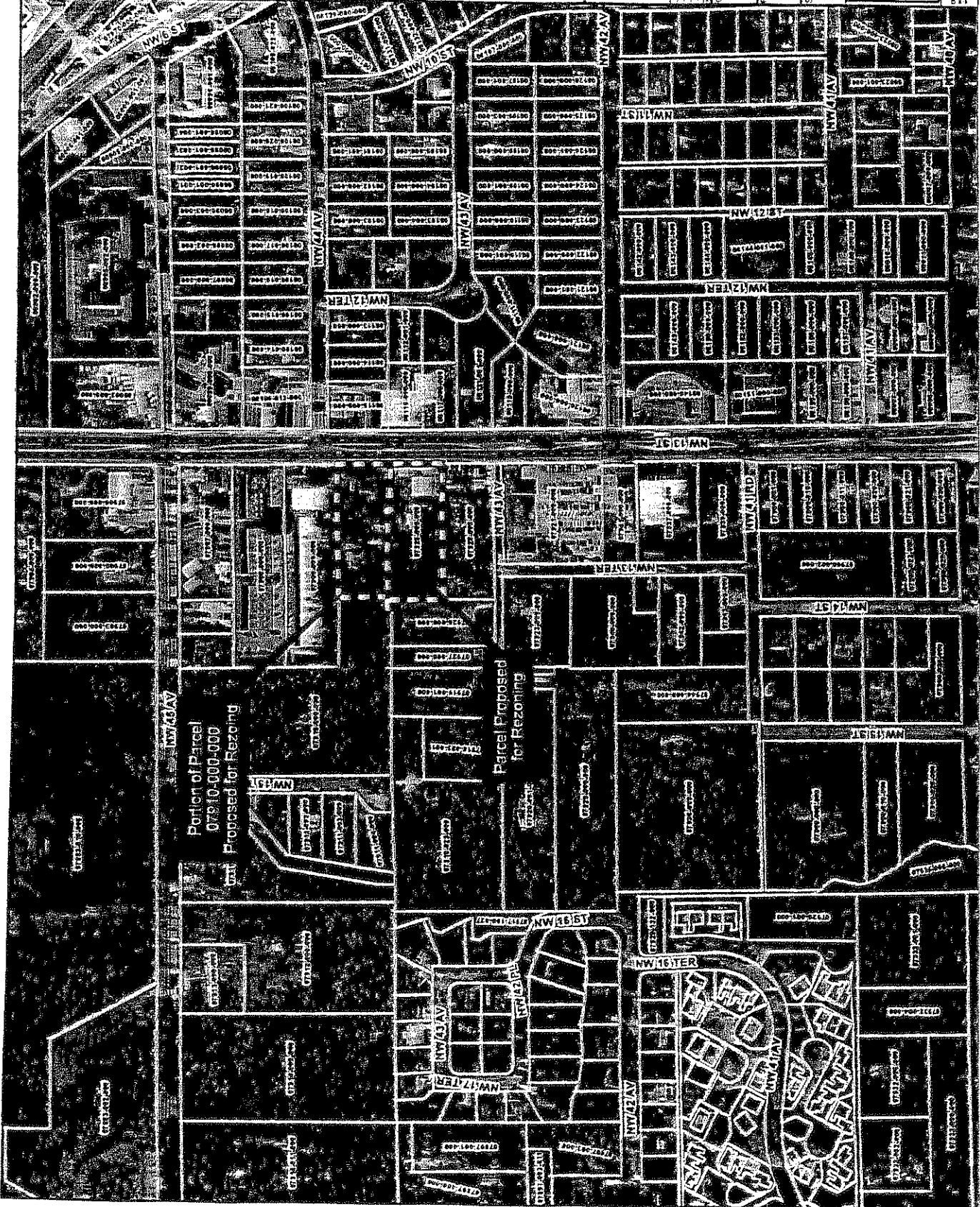
www.bronkhorst.com



<p><b>LEGEND</b></p> <p>Proposed Rezoning</p> <ul style="list-style-type: none"> <li>Residential Single-Family</li> <li>R-1</li> <li>R-2</li> <li>R-3</li> <li>R-4</li> <li>R-5</li> <li>R-6</li> <li>R-7</li> <li>R-8</li> <li>R-9</li> <li>R-10</li> <li>R-11</li> <li>R-12</li> <li>R-13</li> <li>R-14</li> <li>R-15</li> <li>R-16</li> <li>R-17</li> <li>R-18</li> <li>R-19</li> <li>R-20</li> <li>R-21</li> <li>R-22</li> <li>R-23</li> <li>R-24</li> <li>R-25</li> <li>R-26</li> <li>R-27</li> <li>R-28</li> <li>R-29</li> <li>R-30</li> <li>R-31</li> <li>R-32</li> <li>R-33</li> <li>R-34</li> <li>R-35</li> <li>R-36</li> <li>R-37</li> <li>R-38</li> <li>R-39</li> <li>R-40</li> <li>R-41</li> <li>R-42</li> <li>R-43</li> <li>R-44</li> <li>R-45</li> <li>R-46</li> <li>R-47</li> <li>R-48</li> <li>R-49</li> <li>R-50</li> <li>R-51</li> <li>R-52</li> <li>R-53</li> <li>R-54</li> <li>R-55</li> <li>R-56</li> <li>R-57</li> <li>R-58</li> <li>R-59</li> <li>R-60</li> <li>R-61</li> <li>R-62</li> <li>R-63</li> <li>R-64</li> <li>R-65</li> <li>R-66</li> <li>R-67</li> <li>R-68</li> <li>R-69</li> <li>R-70</li> <li>R-71</li> <li>R-72</li> <li>R-73</li> <li>R-74</li> <li>R-75</li> <li>R-76</li> <li>R-77</li> <li>R-78</li> <li>R-79</li> <li>R-80</li> <li>R-81</li> <li>R-82</li> <li>R-83</li> <li>R-84</li> <li>R-85</li> <li>R-86</li> <li>R-87</li> <li>R-88</li> <li>R-89</li> <li>R-90</li> <li>R-91</li> <li>R-92</li> <li>R-93</li> <li>R-94</li> <li>R-95</li> <li>R-96</li> <li>R-97</li> <li>R-98</li> <li>R-99</li> <li>R-100</li> </ul>	<p><b>NOTES</b></p>	<p><b>LOCATOR</b></p>		<p>CLIENT: <i>Beahy</i></p> <p>PROJECT: <i>Parcel Rezoning</i></p>	<p>SHEET TITLE: <i>Figure 2 - Zoning Map</i></p> <p>Prepared by <i>CHURCH &amp; DWIGHT</i> INC. 1000 FIFTH AVENUE SUITE 1400 NEW YORK, NY 10020</p>
---	---------------------	-----------------------	--	--	---



<p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li>Project Boundary</li> <li>Alachua Tax Parcels</li> </ul>	<p><b>NOTES</b></p>	<p><b>LOCATOR</b></p> 		<p>CLIENT: Realty</p> <p>PROJECT: Parcel Rezoning</p> <p>SHEET TITLE: Figure 3 - 2000 Aerial Map</p>	<p><b>BROWN &amp; CLEVELAND</b></p> <p>CONSULTING ENGINEERS</p> <p>1100 S. UNIVERSITY AVENUE, SUITE 200</p> <p>GAINESVILLE, FLORIDA 32601</p> <p>PHONE: (352) 339-1100</p> <p>FAX: (352) 339-1101</p> <p>WWW.BROWNANDCLEVELAND.COM</p>
--	---------------------	---	---	--	--



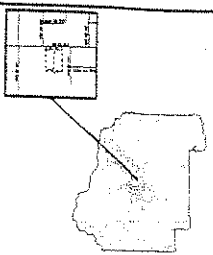


**LEGEND**

- Project Boundary
- Aesthetic Tree Overlay
- Wetland Protection Zone
- FDEP Designated Contaminated Areas

**NOTES**

**LOCATOR**



CLIENT	Parity
PROJECT	Parcel Rezoning
SHEET TITLE	Figure 2 - Environmental Evaluation Map

**BROWN & CALVERT INC.**  
 CIVIL ENGINEERS and ARCHITECTS  
 10000 NW 22nd Ave, Suite 200  
 Fort Lauderdale, FL 33311  
 Phone: (954) 575-1100  
 Fax: (954) 575-1101

This drawing is the property of Brown & Calvert, Inc. and is not to be used for any other project without the written consent of Brown & Calvert, Inc. All rights reserved.

