

**TO:** City Plan Board

**Item Number:** 10

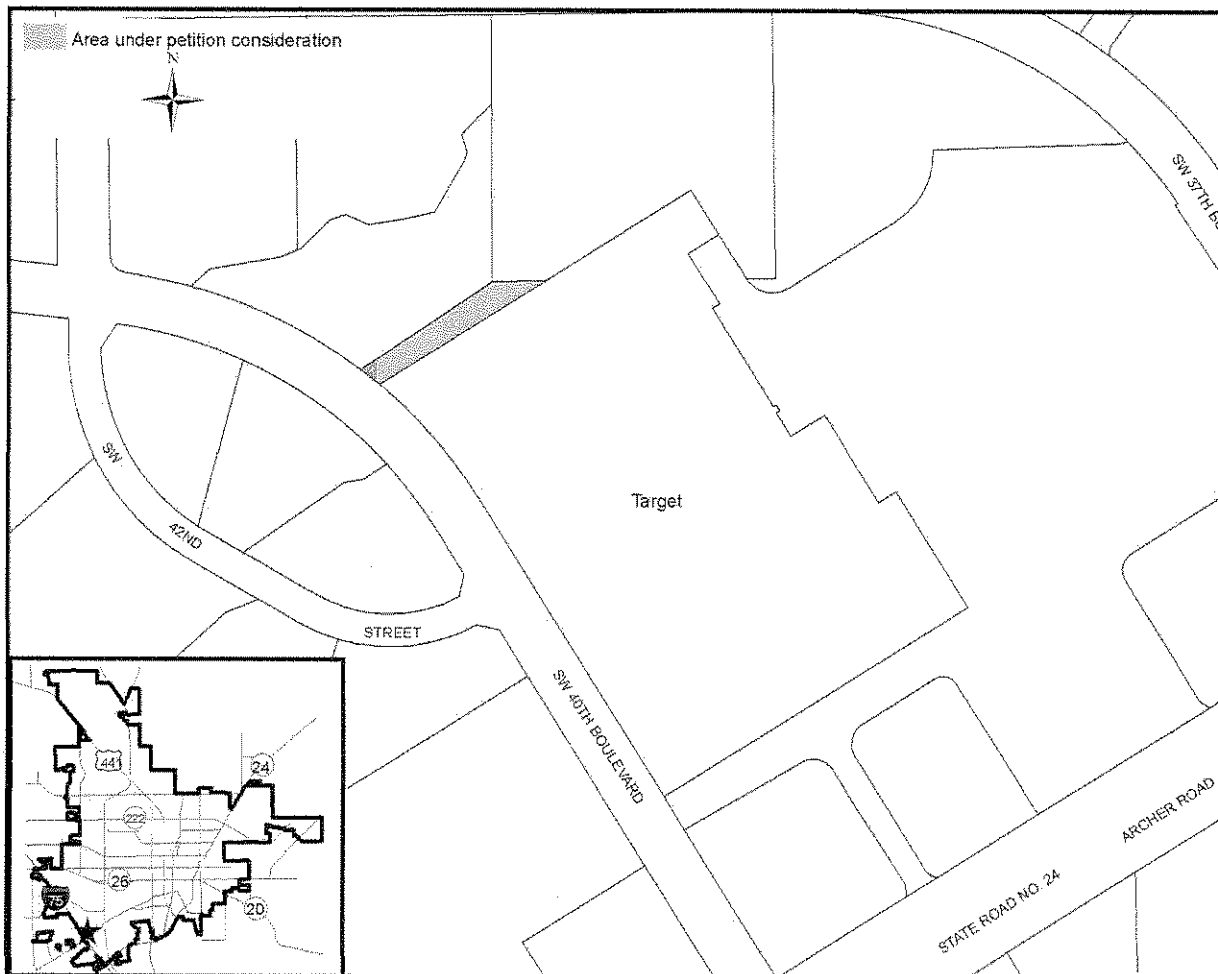
**FROM:** Planning & Development Services Department  
 Staff

**DATE:** January 24, 2013

**SUBJECT:** Petition PB-12-167 LUC. City Plan Board. Amend the City of Gainesville Future Land Use Map from Alachua County Commercial to Business Industrial. Located in the 3600 block of SW 40th Blvd, east side. Tax parcel No. 06800-008-000. Related to PB-12-168 ZON.

### Recommendation

Staff recommends approval of Petition PB-12-167 LUC.



## Description

This petition proposes a small-scale future land use map amendment to change the land use designation of one parcel ( $\pm 0.24$  acres) (Tax Parcel No. 06800-008-000) from Alachua County Commercial to Business Industrial. The location of this 0.24-acre parcel is shown on page 1 of this report.

The subject property was part of the "Southwest Annexation" large-scale land use amendment which changed Future Land Use categories for multiple properties from Alachua County to City of Gainesville designations (Ordinance 100679) on July 21, 2011. The property was originally intended for a land use category designation of Business Industrial and the property was correctly depicted with the Business Industrial land use on the proposed future land use maps which were approved by the Plan Board on January 27, 2011 and by the City Commission at the petition public hearing on March 3, 2011. However, during the preparation of the ordinance for the City Commission transmittal hearing on May 5, 2011, the proposed future land use map depicting the properties was divided into sub-areas in order to provide better readability. During the preparation of these sub-area maps, the property was inadvertently mistaken for unimproved right-of-way and was not depicted with a future land use category. The map was transmitted to the former Department of Community Affairs and was adopted on July 21, 2011.

Staff is now attempting to proactively correct this error and designate the property with the Business Industrial land use (as was previously intended). Staff has been in contact with the property owner and their agent regarding the proposed City-initiated action. A related rezoning petition from Alachua County Highway oriented business services district (BH) to Business industrial district (BI) is proposed to implement the Business Industrial land use (PB-12-166 ZON).

The property is located on the east side of SW 40<sup>th</sup> Boulevard directly adjacent to the northwestern corner of the Target. The property is currently vacant and appears to provide access for maintenance of the stormwater facility located directly north and east of the site. An aerial map is provided in Exhibit A-1.

The property lies outside of the boundaries of the Butler Plaza Planned Development. The property is located within existing Transportation Concurrency Exception Area (TCEA) Zone M as shown in the Concurrency Management Element of the Comprehensive Plan.

## Key Issues

- A 0.24-acre Tax Parcel No. 06800-008-000 was included in the "Southwest Annexation" large-scale land use amendment but inadvertently did not receive a City land use designation because of a mapping error.
- Amending the future land use on the property from Alachua County Commercial to Business Industrial is necessary to place a City land use category on the parcel.

- A related rezoning action from Alachua County Highway oriented business services district (BH) to Business industrial district (BI) is proposed to implement the Business Industrial land use (Petition PB-12-166 ZON).

### **Basis for Recommendation**

The staff recommendation is based on the eight following factors, which are discussed below: Consistency with the Comprehensive Plan; compatibility and surrounding land uses; environmental impacts and constraints; support for urban infill and/or redevelopment; impacts on affordable housing; impacts on the transportation system; an analysis of the availability of facilities and services; and need for the additional acreage in the proposed future land use category.

#### **1. Consistency with the Comprehensive Plan**

This property was annexed into the City in 2009. State law and the City of Gainesville Comprehensive Plan require that City land use and zoning be placed on annexed property. The proposed Business Industrial future land use category will permit development of the site for office, business, commercial and industrial uses, with a maximum height of 5 stories, and a maximum floor area ratio of 4.0. The proposed land use amendment will support the redevelopment policies of the Future Land Use Element.

#### **2. Compatibility and surrounding land uses**

As previously stated, the property is currently vacant and appears to provide maintenance access to the adjacent stormwater facility. The site abuts other properties with the Business Industrial land use to the north, west, and east. The Hilton Garden Inn and Homewood Suites hotels are located north of the property and several vacant parcels are located west of the site on the opposite side of SW 40<sup>th</sup> Boulevard.

#### **3. Environmental impacts and constraints**

There are no environmental impacts anticipated as a result of the proposed future land use map amendment. The proposed future land use map amendment received an exemption from Land Development Code (LDC) Section 30-300 and 30-310 regarding regulated surface waters and wetlands (LDC Sec. 30-300) and regulated natural and archeological resources (LDC Sec. 30-310). The exemption was approved due to the absence of regulated surface waters or wetlands on or adjacent to the property and it was determined that the proposed future land use map amendment will have a *de minimis* impact on any applicable regulated natural and archeological resources.

#### **4. Support for infill and redevelopment**

The proposed addition of 0.24-acres of Business Industrial future land use may provide additional opportunities for a mix of commercial, industrial, office and businesses uses to occur on this property or in conjunction with other adjacent Business Industrial designation properties.

**5. Impacts on Affordable Housing**

The additional area of proposed Business Industrial future land use will not have an impact on affordable housing because no residential uses are allowed within this category.

**6. Transportation**

The subject property is served by SW 40<sup>th</sup> Boulevard, a local street. The site is accessed via the service road located at the rear of the Target store. A sidewalk is located along the eastern side of SW 40<sup>th</sup> Boulevard.

The subject area is served by the following RTS routes:

Area Served	RTS Route number	Peak weekday headways
Oaks Mall-Butler Plaza	75	35
Reitz Union-Butler Plaza	12	10
Oaks Mall-Lexington Crossing	62	60

The property is located in TCEA Zone M, which is defined in Policies 1.1.5 and 1.1.13 of the Concurrency Management Element.

**7. Analysis of the availability of facilities and services**

The property is currently served by urban services including potable water and wastewater. Solid waste services are available to the property, and there will be no impact to the adopted level of service. Stormwater requirements are determined at the time of development review based on site-specific analysis. Recreational opportunities are provided within close proximity to the property by the Forest Park and Kanapaha Park and conservation areas. There will be no impact on public school facilities from the land use change due to the small size of the parcel and the lack of potential for residential development.

**8. Need for the additional acreage in the proposed future land use category**

As previously stated, the subject property was originally annexed into the City in 2009 and City land use is required for this site. The Business Industrial land use is compatible with the surrounding uses and surrounding properties with an existing Business Industrial land use designation.

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Respectfully submitted,



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Prepared by:



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**Table 1**

**Adjacent Existing Uses**

<b>North</b>	Stormwater management facility
<b>South</b>	Target store
<b>East</b>	Stormwater management facility
<b>West</b>	Vacant land

**Adjacent Zoning and Land Use**

	<b>Zoning Category</b>	<b>Land Use Category</b>
<b>North</b>	Business industrial district (BI)	Business Industrial
<b>South</b>	General business district (BUS)	Commercial
<b>East</b>	Business industrial district (BI)	Business Industrial
<b>West</b>	Business industrial district (BI)	Business Industrial

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**Exhibits**

**Exhibit A    Maps**

- A-1            Aerial map of the subject property
- A-2            Existing future land use
- A-3            Proposed future land use
- A-4            Comprehensive Plan Goals, Objectives, and Policies

**B-1            Petition application**

**B-2            Legal descriptions**