

LEGISLATIVE #

110527E

Exhibit C:
Special Use Permit Justification Report

SiVance, LLC
*Special Use Permit
Justification Report*

RECEIVED
PLANNING
DIVISION
AUG 11 2011
10:00 AM

Prepared for Submittal to:
The City of Gainesville, Florida

Prepared on Behalf of:
SiVance, LLC

Prepared by:



Causseaux, Hewett, & Walpole, Inc.
Engineering • Surveying • Planning
6011 NW 1st Place Gainesville, Florida 32607
Phone: (352) 331-1976 Fax: (352) 331-2476
<http://www.chw-inc.com>

August 10, 2011
PN 10-0239

I:\JOBS\2010\10-0239\Application\SUP\RPT_SUP_110810_SiVance.doc

Table of Contents

	Page No.
1. Executive Summary	1
2. Statement of Proposed Change	2
3. Consistency with City of Gainesville Comprehensive Plan	4
4. Consistency with City of Gainesville Land Development Code (LDC).....	8
5. I-2 Specially Regulated Industry Criteria	11
6. Special Use Permit (SUP) Criteria.....	14
7. Wellfield Protection Special Use Permit (SUP) Criteria.....	18

List of Tables

1. Trip Generation.....	15
2. Roadway Capacity	16

1. Executive Summary

Causseaux, Hewett, & Walpole, Inc.

Engineering • Surveying • Planning

To: Mr. Erik Bredfeldt, AICP, Ph.D., Director
City of Gainesville, Planning and Development Services
PN 10-0239

From: Gerry Dedenbach, AICP, LEED® AP, Director of Planning and GIS Services

Date: August 10, 2011

Re: SiVance, LLC – Special Use Permit Application

<p><u>Jurisdiction:</u> City of Gainesville</p>	<p><u>Intent of Development:</u> To modify and/or construct necessary facilities in response to product demands consistent with I-2 specially regulated industry and Wellfield Protection Special Use Permit (SUP) requirements.</p>
<p><u>Description of Location:</u> 4044 NE 54th Avenue, Gainesville, FL 32609</p>	
<p><u>Parcel Number(s):</u> 07872-005-001 and a portion of 07872-006-001</p>	<p><u>Acres:</u> ± 20 Acres</p>
<p><u>Current Future Land Use Classifications:</u> <i>Industrial (IND)</i> The Industrial land use category identifies those areas appropriate for manufacturing, fabricating, distribution, extraction, wholesaling, warehousing, recycling and other ancillary uses, and, when designed sensitively, retail, office, service, and residential uses, when such non-industrial uses are no more than 25 percent of industrial area, or when part of a Brownfield redevelopment effort.</p>	
<p><u>Current Zoning Classifications:</u> <i>General Industrial (I-2)</i> The I-2 district is established for the purpose of providing areas in appropriate locations where various heavy and extensive industrial operations can be conducted without creating hazards or property devaluation to surrounding land uses. It is generally inappropriate to locate this district adjacent to residential zoning districts or most arterial streets.</p>	
<p><u>Supporting Documents (Reports, Permits, Registrations, and Certifications)</u></p> <ul style="list-style-type: none"> • Florida Department of Environmental Protection (FDEP) – Multi- Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity (MSGP) • US Department of Transportation (DOT) – Hazardous Materials Certificate of Registration • FDEP – Storage Tank Registration • Alachua County Environmental Protection Department – Hazardous Materials Storage Facility Registration • Department of Treasury Alcohol and Tobacco Tax and Trade Bureau – Industrial Alcohol User Permit • US Department of Commerce Bureau of Industry and Security – CWC Unscheduled Discrete Organic Chemical Declaration • FDEP Division of Air Resources Management – Annual Operating Report for Air Pollutant Emitting Facility • FDEP – Air Federally Enforceable State Operation Permit (FESOP) • St. Johns River Water Management District (SJRWMD) – Consumptive Use Permit • GRU – Semi-Annual Report, First Half 2011 • GRU – Industrial Wastewater Discharge Permit • FDEP – 2010-2011 Groundwater Recovery System Annual Report 	

2. STATEMENT OF PROPOSED CHANGE

This application combines two (2) required Special Use Permits (SUPs). First, the site uses industrial inorganic and organic chemicals to manufacture and produce silicone products within the General Industrial (I-2) zoning district. These specially regulated industries are allowed within the I-2 district by an SUP. Second, the site is located within the Murphree Wellfield Protection Zone, which requires a Wellfield Protection SUP.

The project site is located at 4044 NE 54th Avenue, Gainesville, FL 32609 (Alachua County Tax Parcels 07872-005-001 and a portion of 07872-006-001) and consists of approximately 20 acres. The site has an Industrial (IND) Future Land Use Map (FLUM) classification and a General Industrial (I-2) zoning category (as depicted in *Illustrations 2A and 3A*, which are located in the map set included with this report.)

The company now known as SiVance was founded nearly 60 years ago by two (2) University of Florida chemistry professors and has previously operated under the ownership of PCR, Inc., Archimica, Inc., and Clariant Life Science Molecules (Florida), Inc. SiVance is a leader in the silicone chemistry industry with a focus on developing and manufacturing specialty silicone technologies and intermediates required to modify many different silicone and non-silicone materials. SiVance provides a number of silicone-based products that meet specific customer performance needs in a variety of industries, including adhesives, semiconductors, optics, personal care and cosmetics, and automotive. SiVance has a flexible, multi-purpose facility with the ability to produce quantities from lab scale to multi-ton scale all on one site. Currently, SiVance manufactures approximately 200 products annually, with about 100 of these being made on commercial scale each year and the remainder being made on laboratory and pilot plant scale as needed to maintain inventory and to meet customer demand.

SiVance has continuously operated at its existing location since 1959. In 2001, the City of Gainesville adopted the Specially Regulated Industry SUP and in 1999, the Wellfield Protection SUP. SiVance is planning to update aging office and laboratory buildings and will need to redevelop its existing facilities over time to meet changing market demands. To accommodate such changes at the site, SiVance must obtain Wellfield and Specially Regulated Industry SUPs. The attached justification report and accompanying documentation demonstrate SiVance's compliance with the SUP requirements.

At this time, SiVance is only requesting approval of the SUPs; SiVance is not requesting approval of any development plans. As previously stated, SiVance is anticipating the need to redevelop its site over time because of changing market demand, including the surging demand on a national and global level for innovative and green technologies such as advanced integrated circuits, extended wear contact lenses, LED lighting and solar photovoltaics. These changes have accelerated new product demand and production schedules. While SiVance knows that changes will be needed to its facilities to accommodate requests for new product development and manufacturing, it cannot yet predict what those changes are – making it impossible for SiVance to meet the SUP

requirement of a preliminary development plan at this time. Moreover, the nature of SiVance's business is such that when a decision to manufacture a new product is made, SiVance has a relatively brief period in which to modify its facilities to reach production capacity, making it prohibitive for SiVance to meet production schedules if it has to apply for an SUP each time a development plan must be approved. In order to accommodate SiVance's unique need to modify its facilities over time and relatively quickly, SiVance is requesting (a) that the SUPs be approved to cover anticipated development over a twenty (20) year time-span and (b) that the SUP requirement for a preliminary development plan be waived. In place of a preliminary development plan, SiVance has submitted a master plan to be adopted with this SUP application that addresses the design/development standards by which site development/redevelopment will occur. Specific development plans, consistent with the requirements of LDC Section 30-160, will be submitted for each individual construction and reconstruction project and will be approved in accordance with sections 30-159 (criteria for determining level of review) and section 30-161 (review process).

As shown on the SUP Master Plan, *Attachment b*, the 20-acre site has three (3) access points. The main access point is located central to the site's southern boundary on NE 54th Place. A secondary entrance on NE 54th Place is located to the east. A third access point is located at the cul-de-sac NE 49th Terrace. Off-street parking is predominately located along property boundaries on NE 54th Place and NE 49th Terrace.

Shown on a separate map in *Attachment d* of the Application Package, on-site recycling is located throughout the site at strategic, convenient locations. The site has recycling facilities for florescent light bulbs, E-waste, mercury-containing devices, rechargeable batteries, office paper, cardboard, scrap metal, wooden pallets, decommissioned equipment, empty metal and plastic drums, and aluminum.

3. CONSISTENCY WITH CITY OF GAINESVILLE COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT (FLUE)

The subject property has an Industrial (IND) Future Land Use (FLU) classification. The City's Comprehensive Plan *Policy 4.1.1* defines the IND FLU classification as follows:

Policy 4.1.1 The Industrial land use category identifies those areas appropriate for manufacturing, fabricating, distribution, extraction, wholesaling, warehousing, recycling and other ancillary uses, and, when designed sensitively, retail, office, service, and residential uses, when such non-industrial uses are no more than 25 percent of industrial area, or when part of a Brownfield redevelopment effort. Land development regulations shall determine the appropriate scale of uses and consider the externalities of such uses. Intensity will be controlled by adopting land development regulations that establish height limits of 5 stories or less and requiring buildings to face the street.

Response: The SiVance site is located adjacent to the Airport Industrial Park north of the Gainesville Regional Airport. Neighboring properties share the Industrial FLU classification. The nearest residential FLU classified property is located approximately 3,800 feet from the subject property's southwest boundary. Substantial evidence documented throughout this report demonstrates that the SiVance site is an appropriate location for industrial uses.

Goal 2 *Redevelop areas within the city, as needed, in manner that promotes quality of life, transportation choice, a healthy economy, and discourages sprawl.*

Objective 2.1 *Redevelopment should be encouraged to promote compact, vibrant, urbanism, improve the condition of blighted areas, discourage urban sprawl, and foster compact development patterns that promote transportation choice.*

Response: The proposed SUP will allow SiVance to redevelop its existing facility in the City of Gainesville to meet changing market demands in a timely manner. SiVance recognizes the value of redevelopment over relocation in limiting blight and urban sprawl. Approval of this SUP is consistent with FLUE Goal 2 of promoting redevelopment and a healthy economy and discouraging sprawl.

Goal 3 *Achieve the highest long-term quality of life for all Gainesville residents consistent with sound social, economic and environmental principles through land development practices that minimize detrimental impacts to the land, natural resources and urban infrastructure.*

Objective 3.1 *The City shall protect environmentally sensitive land, conserve natural resources and maintain open spaces identified in the Future Land Use*

Map Series, through the Development Review Process and land acquisition programs.

- Policy 3.1.1 At a minimum the following standards and guidelines shall be used to protect environmentally sensitive resources identified in the Environmentally Significant Land and Resources map series within the Future Land Use Map Series. The City shall develop and adopt land development regulations that establish criteria for expansion of the minimum standards addressed below.*
- b. Wetlands: Developments containing wetlands must avoid loss of function or degradation of wetland habitat and/or wetland hydrology as the highest priority.*
 - d. Wellfields: Developments must be consistent with Policy 2.3.2 of the Conservation, Open Space and Groundwater Recharge Element.*
- Policy 3.1.4 The City shall protect floodplain areas through existing land development regulations that:*
- a. Prohibit development within the flood channel or floodplain without a city permit;*
 - b. Prohibit filing in the flood channel by junk, trash, garbage, or offal;*
 - c. Prohibit permanent structures in the flood channel, except for those necessary for flood control, streets, bridges, sanitary sewer lift stations, and utility lines;*
 - d. Prohibit the storage of buoyant, flammable, explosive, toxic or otherwise potentially harmful material in the flood channel;*
 - e. Prohibit development within the floodplain that would reduce the capacity of the floodplain;*
 - f. Prohibit development that would exacerbate post-development soil erosion, create stagnant water, or cause irreversible harmful impact on flora and fauna;*
 - g. Limit flood channel uses to agriculture, conservation, recreation, lawns, yards, gardens, and parking areas; and*

Response: As shown on *Illustration 4* of the map series (*Attachment g*), the site contains potential 100-year floodplain areas. Although the map shows the floodplain primarily covering the site's northern half, the FEMA data is not accurate, as it was based on aerial photographs and known soil types and not field verified. Mitigation in accordance with Federal, State, and local regulations and/or

evidence that no floodplain impacts have occurred will be provided as development moves forward.

Objective 3.3 Provide adequate land for utility facilities and that utility facilities be available concurrent with the impacts of development.

Response: Gainesville Regional Utilities (GRU) currently serves SiVance with potable water, sanitary sewer, and fiber optics high-speed communications. The existing utility facilities are adequate to serve the site's present needs. Since most of the future development on site will be redevelopment of existing facilities, it is not expected that future development will significantly increase demands on public utilities or require significant changes to the onsite utility facilities. As development plans are submitted, the utility needs will be reevaluated in accordance with City's regulations. GRU provided maps at the first step meeting identifying utility size and location, which are included as part of this application package.

Objective 3.6 Land use designations shall be coordinated with soil conditions and topography.

Response: As shown in *Illustration 5* of the map set included as part of this report, the majority of the site's developable area is Pomona Sand, Wachula Urban, and Surrency Sand Land Complex. These soil types do require good drainage systems to adequately treat excess water during wet periods. Sivance's master stormwater management facility design takes into account the various soil types and their associated development limitations. Future development will continue to address the site's drainage needs. Site topography is suitable for the on-site industrial uses. The site is relatively flat, sloping northwest to southeast from 153 feet to 150 feet.

CONSERVATION, OPEN SPACE AND GROUNDWATER RECHARGE ELEMENT

Goal 2 Mitigate the effects of growth and development on environmental resources.

Objective 2.3 The City shall only permit activities that maintain drinking water resources to meet the demands of population projected for the year 2010.

Policy 2.3.2 The City shall allow land uses and facility design within wellfield protection zones (and other "community water system" cones of influence as defined by Fla. Administrative Code Chapter 62- 550.200 (Drinking Water Standards, Monitoring, and Reporting, Definitions for Public Water Systems) and Chapter 9J-5.003(27) (Definitions, "cone of influence") and identified in the Environmentally Significant Land and Resources map series within the Future Land Use Map Series, that are in compliance with the Murphree Wellfield Protection Code.

Response: As demonstrated by *Section 7*, SiVance complies with the Murphree Wellfield Protection Code. Any future site development will continue to comply with the Code.

4. CONSISTENCY WITH CITY OF GAINESVILLE LAND DEVELOPMENT CODE (LDC)

Sec. 30-70 General Industrial District (I-2)

Response: I-2 specially regulated industries criteria required for approval is described in Section 5 of this report.

The SiVance SUP site's proposed development standards are described in detail below.

- a. Maximum Building Height. The maximum building height for structures within the SUP area is subject to the City of Gainesville Airport Height Zoning Regulations, LDC Appendix F. Buildings located within the Airport Height Notification Subzone 1 are permitted one foot (1') of vertical development for every 100 feet measured horizontally from the sides and ends of the Gainesville Regional Airport's runways. Airport Obstruction Permits can be granted by the City Manager or designee upon development plan review by the Federal Aviation Administration (FAA).*

Response: The site is located within the Airport Height Notification Subzone 1 and is approximately between 3,200 to 4,400 feet from the runways. Therefore, the site is permitted a maximum building height between 32 to 44 feet, depending on site location. SiVance has obtained Airport Obstruction Permits for on-site structures built following adoption of the City's Airport Hazard Zoning Regulations (AHZR). Structures exceeding the height limitations built prior to the AHZR adoption shall be treated as existing non-conforming structures. If necessary, Airport Obstruction Permits will be acquired per LDC Appendix F.II.3.b. for new structures exceeding the adopted height limitations.

- b. Setbacks. Per Sec. 30-70, site setbacks shall be measured as follows:*

- *Front yard = 25 feet*
- *Side yard (interior) = 20 feet*
- *Side yard (street) = 25 feet*
- *Rear yard = 10 feet*

Response: SUP site setbacks shall be measured from the SUP boundary as depicted on the SUP Master Plan. Front, side, and rear yard setbacks are consistent with LDC Sec. 30-70(d)(1)a-d. Existing non-conforming buildings will be addressed consistent with the LDC. No setback encroachments will occur as a result of future development.

- c. Parking. Section 30-329 requires the provision of off-street parking facilities for any new building constructed and for any new use established, for any addition or enlargement of an existing building, and for any change in the occupancy of a building or the manner in which any use is conducted that would result in additional parking spaces being required.*

Response: At this time SiVance is proposing nothing that would trigger requirements for additional parking. The number of existing parking spaces adequately serves the SUP area and employee needs. Overflow and visitor parking is provided at the main office building, which is located in the SiVance site's western portion along NE Waldo Road/SR 24. Additional parking will be added to the SUP area as required by new development.

- d. Buffers. Per LDC Sec. 30-253(1), there is no buffer strip requirement for industrial uses that are located next to existing industrial uses. Sec. 30-334(b)(1) requires a minimum nine foot (9') parking area buffer, measured from the public right-of-way.*

Response: Consistent with LDC Sec. 30-253(1), the SUP Master Plan does not include a buffer strip. Due to the fact that minimal traffic utilizes NE 54th Place and NE 49th Terrace and that all surrounding uses are industrial in nature, this SUP application proposes that no parking area buffers be required pursuant to section 30-253(5)b.

Sec. 30-203 Criteria for [Wellfield Protection SUP] Issuance

Response: Wellfield Protection SUP criteria required for approval are described in *Section 7* of this report.

Sec. 30-305 Wellfield District

The wellfield district is delineated on the map entitled, "Map Displaying Community Wellfields of Gainesville, Florida, Regulated by Article VIII of the Gainesville Code," and on file with Planning and Development Services Department and the Clerk's office. All new and existing developments shall comply with the County Murphree Well Field Management, Storage Tank Systems, and Hazardous Materials Management Codes, except that such development shall also comply with subsection (a)(2)b of this section. Section 30-305(a)(2)b states that the installation of new septic tanks in commercial, institutional and industrial districts is prohibited in the Murphree Wellfield Management primary and secondary zones.

Response: *Section 7* of this report describes in detail how this SUP application is in compliance with the City's Murphree Wellfield Management and Storage Tank Systems, and the County's Hazardous Materials Management Codes. The SiVance site is served by public water and wastewater facilities and, therefore, does not utilize septic tanks.

Sec. 30-233 Criteria for [SUP] Issuance

No special use permit shall be approved by the City Plan Board unless findings are made concerning the proposed special use.

Response: SUP criteria required for approval are described in Section 6 of this report.

5. I-2 SPECIALLY REGULATED INDUSTRY CRITERIA

The proposed site is located within the General Industrial (I-2) zoning district.

Sec. 30-70 General Industrial District (I-2)

The I-2 district is established for the purpose of providing areas in appropriate locations where various heavy and extensive industrial operations can be conducted without creating hazards or property devaluation to surrounding land uses. It is generally inappropriate to locate this district adjacent to residential zoning districts or most arterial streets.

Industrial inorganic (SIC code IN-2819) and organic (SIC code IN-2869) chemicals are permitted by Special Use Permit (SUP) subject to specially regulated industry provisions. Applicants requesting an SUP for specially regulated industries within the I-2 zoning district shall submit information specifying expected air emissions, surface and groundwater emissions, noise levels, truck traffic volumes (including time-of-day level(s), odor levels, and glare impacts, and the compatibility of these emissions and impact levels with other properties, uses and neighborhoods within 2,000 feet. The report shall indicate that these impacts will not violate local, regional, state, or federal limits. The report shall also indicate that "best available technology" is being used to control impacts from the "specially regulated industry."

Response: Per LDC Section 30-70, industrial inorganic and organic chemicals are specially regulated industries that are allowed by an SUP. The property is already zoned I-2 and is surrounded by other industrial uses.

The information required for specially regulated industries as per LDC Section 30-70(c)(2)b.1 is addressed throughout this report and listed below.

1. Air Emissions.

Response: The emissions unit is a batch chemical manufacturer with facility wide Federally Enforceable State Operating Permit (FESOP). The current Air FESOP is valid through February 23, 2012 and is provided as *Attachment c.vii* of this application package. The current FDEP Division of Air Resources Management's Annual Operating Report for Air Pollutant Emitting Facility is also included in *Attachment c.vii* of the Application Package. The SiVance site has multiple emission points served by a single emissions unit with wet scrubber high efficiency (95.0-99.9%), ammonia scrubbing, and other miscellaneous control devices. The unit operates on a 24 hour per day, 7 days a week schedule. The specific pollutants and their emissions levels are detailed in the Air Emissions Report. All emissions comply with local, regional, State, and Federal requirements. All surrounding

properties are zoned industrial and are compatible with the limited amount of emissions from the site.

2. Surface and Groundwater Emissions.

Response: SiVance does not discharge wastewater to surface or ground water; SiVance has an industrial wastewater permit from GRU through which it discharges all wastewater to GRU's water treatment plant. This permit (*Attachment c.xi*) requires semiannual reporting due twice a year. The latest monitoring report is included as *Attachment c.x*. This GRU permit is valid through July 1, 2013.

SiVance also has an active Florida Department of Environmental Protection (FDEP) Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity (MSGP) (*Attachment c.i*). The FDEP Stormwater discharge permit is valid through December 2014. This permit requires SiVance to comply with practices designed to prevent contamination of stormwater runoff and requires monitoring of stormwater discharges to ensure that those practices are sufficient.

SiVance also has an existing groundwater recovery system on site. The recovery system was implemented in 1999 with the goal of mitigating off-site migration of site contaminants in groundwater. Attached is the most recent Groundwater Recovery System Annual Report (*Attachment c.xii*), which analyzes groundwater quality data and recovery system operational data collected between April 2010 and March 2011. Contamination levels have dropped to the point that CH2M Hill, the author of the report, has recommended discontinuing operation of the groundwater recovery system while leaving monitoring wells on site for annual monitoring.

3. Noise Levels.

Response: SiVance will not create noise that will unreasonably disturb the adjoining industrial lands or exceed the sound level standards identified in Gainesville Code of Ordinances, Chapter 15. See additional description of adjacent lands below.

4. Truck traffic Volumes.

Response: The SiVance site currently has approximately 24 truck trips per day. Future plans anticipate 48 trucks per day. The traffic impact analysis detailed in *Section 6* indicates that the increase in truck volumes will not exceed the City of Gainesville's accepted Level of Service (LOS) volumes. NE Waldo Road/State Road 24 will still have adequate roadway capacity with approximately 16,898 residual daily trips.

5. *Odor Levels.*

Response: The SiVance facility does not produce odors that would unreasonably disturb the adjoining lands. Specific Condition #5 of the active Air FESOP regulates “objectionable odor.” This condition states, “no person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An objectionable odor is any odor present in the outdoor atmosphere, which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance.”

As stated below, the properties within 2,000 feet of the SUP area are all industrial uses. Furthermore, this SUP application does not request additional uses that would produce additional odors.

6. *Glare Impacts.*

Response: The SiVance facility does contain glare inducing architecture or building elements. Sivance structures do not pose glare impacts on adjacent property owners.

Adjacent Lands Summary

The emissions described in 1-6 above are compatible with adjacent lands and uses within 2,000 feet of the project site. The current uses located within the 2,000 foot perimeter include the Alachua County Transfer Station and SP Recycling to the north, the Nordstrom’s Distribution Center and the Ryder Truck Rental facility to the south, and industrial uses within the Airport Industrial Park located along NE 49th Avenue to the southwest. The closest residential neighborhood is located approximately 4,000 feet from the subject property’s boundary.

6. SPECIAL USE PERMIT (SUP) CRITERIA

Land Development Code (LDC) Section 30-233 outlines specific criteria for approving an SUP within the City of Gainesville. The following outlines how this SUP request meets each criteria requirement.

DIVISION 5 – SPECIAL USE PERMIT

Sec. 30-233 – Criteria for issuance

No special use permit shall be approved by the city plan board unless the following findings are made concerning the proposed special use:

- (1) *That the use or development complies with all required regulations and standards of this chapter and all other applicable regulations.*

Response: The subject property is located in an I-2 zoning district, which is an appropriate location for industrial uses because it is located in an industrial area north of the Gainesville Regional Airport. SiVance is classified as an industrial inorganic and organic chemicals manufacturer, which is permitted by an SUP for specially regulated industries within the I-2 zoning district.

This SUP application will establish a master plan for the property that will guide and direct the property's growth over the next twenty (20) years. Development plans will be submitted for each development or redevelopment project. The development plans will provide additional details on the site's consistency with the City's regulations and standards.

- (2) *That the proposed use or development will have general compatibility and harmony with the uses and structures on adjacent and nearby properties.*

Response: The SiVance facility is compatible with the surrounding industrial properties. The site is located adjacent to the Airport Industrial Park and is over 3,800 feet from existing residentially zoned properties. Adjacent uses include warehouse, manufacturing, and distribution operations on properties designated the City's I-1 or I-2 zoning category on the Official Zoning Atlas.

- (3) *That necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use and development.*

Response: GRU currently serves SiVance's existing facilities with potable water and sanitary sewer. GRU provided maps, which are included as part of this application package, identifying the infrastructure's size and location.

An eight inch (8") sanitary sewer gravity main runs south along the site's eastern boundary and is located within the NE 49th Terrace right-of-way. The site connects to the gravity main via an eight inch (8") Polyvinyl Chloride (PVC) gravity main located at Man Hole #1. A 12-inch Ductile Iron Pipe (DIP) pressurized main runs along the site's northern and eastern boundaries and continues south along NE 49th Terrace. These facilities have adequate capacity to meet SiVance's existing potable water and sanitary sewer requirements.

Existing fiber optic is located overhead along NE Waldo Road and underground along NW 54th Avenue. An overhead fiber optic line is proposed to run along the site's northern boundary in the future. Since most of the future development on site will be redevelopment of existing facilities, it is not expected that future development will significantly increase demands on public utilities or require significant changes to the onsite utility facilities. As development plans are submitted, the utility needs will be reevaluated as required by City regulations.

- (4) *That the use or development is serviced by streets of adequate capacity to accommodate the traffic impacts of the proposed use.*

Response: Since the site is classified Industrial on the FLUM and is located adjacent to other Industrial classified properties, which include the Airport Industrial Park, there are no dedicated pedestrian and bicycle facilities.

A preliminary trip generation calculation for SiVance's existing facilities is provided below. The roadway capacity, calculated in *Table 2*, demonstrates that NE Waldo Road/State Road 24 currently has adequate roadway capacity with 16,922 residual trips, which is 50 percent of the Maximum Service Volume (MSV). Additional traffic analyses will be submitted with each development plan. It should also be noted that Regional Transit System (RTS) Route #24 serves this area.

Table 1: Trip Generation

ITE Land Use ¹	Number of Employees ²	Daily		AM Peak		PM Peak	
		Rate	Trips	Rate	Trips	Rate	Trips
Proposed Use							
General Office Building (ITE 710)	45	3	149.4	0.48	22	0.46	21
Research and Development Center (ITE 760)	30	3	83.1	0.43	13	0.41	12
General Light Industrial (ITE 110)	15	3	45.3	0.48	7	0.51	8
Total Net Trips	90	-	278	-	42	-	40.65

1. Source: *ITE Trip Generation 8th Edition*

2. Represents the highest number of employees on a single shift

Table 2: Roadway Capacity

Traffic System Category	NE Waldo Road/State Road 24 (AADT)
Maximum Service Volume ¹	33,800
Existing Traffic (2008) ¹	16,600
Available Capacity ¹	17,200
Projected Trip Generation ²	278
Residual Capacity with SUP Approval	16,922

1. Source: Multimodal Level of Service Report by the Metropolitan Transportation Planning Organization (MTPO) for the Gainesville Urbanized Area, dated January 26, 2011.

2. Projected Distribution percentages are estimated to be 100 % for the roadway segment.

- (5) *That screening and buffers are proposed of such type, dimension and character to improve compatibility and harmony of the proposed use and structure with the uses and structures of adjacent and nearby properties.*

Response: In accordance with LDC Sec. 30-253(1), no landscape buffer is required because SiVance is an industrial use located next to other industrial uses. Due to the fact that minimal traffic utilizes NE 54th Place and NE 49th Terrace and that all surrounding uses are industrial in nature, this SUP application proposes that no parking area buffers be required.

- (6) *That the use or development conforms to the general plans of the city as embodied in the city comprehensive plan.*

Response: The proposed use is consistent with the existing General Industrial (I-2) Future Land Use (FLU) classification requirements and the overall Comprehensive Plan. Section 3 of this report outlines specific details regarding Comprehensive Plan consistency.

- (7) *That the proposed use or development meets the level of service standards adopted in the comprehensive plan and conforms with the concurrency management requirements of this chapter as specified in article III, division 2.*

Response: This SUP application proposes no development activity at this time. The anticipated modification and construction of facilities is primarily redevelopment and is not expected to increase demands on public utilities in excess of the City's adopted non-residential level of service standards in the Comprehensive Plan. An Application for Concurrency Exemption has been submitted as part of this application package. An Application for Concurrency Certification long form and additional information demonstrating concurrency will be provided with each development plan. A preliminary trip projection calculation is provided in (4) of this section. Additionally, the St. Johns River Water Management District (SJRWMD) Consumptive Use Permit and GRU Industrial Wastewater Discharge

Permit (*Attachments c.ix* and *c.xi*, respectively) are included in the Attachments section of the Application Package.

7. WELLFIELD PROTECTION SPECIAL USE PERMIT (SUP) CRITERIA

Land Development Code (LDC) Section 30-203 outlines specific criteria for approving a Wellfield Protection SUP within the City of Gainesville. The following outlines how this SUP request meets each of the required criteria.

DIVISION 3. – WELLFIELD PROTECTION SPECIAL USE PERMIT

Sec. 30-203 – Criteria for issuance

(b) Wellfield Protection Special Use Permit

- (1) Development in the secondary zone and tertiary zone that cannot be exempt under section 30- 202 or approved by city manager or designee under section 30-203 must apply for a wellfield protection special use permit in accordance with section 30-204. The development or use shall be reviewed using the following criteria:*

Response: The SiVance facility is located in the secondary and tertiary zones. This application is for a wellfield protection SUP in compliance with section 30-203(b). The responses below deal with the criteria in subsection 30-203(a)(1) through (5) and (8) which are applicable to the wellfield protection SUP.

- (1) That the proposed use or development will not endanger the city's potable water supply.*

Response: Compliance with Federal, State, and local regulations ensures that the proposed use will not endanger the city's potable water supply. SiVance complies with the Alachua County Hazardous Materials Code to ensure that all hazardous materials are properly stored on site. SiVance has a GRU Industrial Wastewater Discharge Permit that requires wastewater be treated onsite before being discharged into GRU's wastewater treatment system.

In accordance with its wastewater permit, SiVance performs regular monitoring of wastewater according to the schedule set forth in its wastewater permit to verify that treatment standards are being met before discharge. The most recent semi-annual report is included as *Attachment c.x*. In addition, SiVance has an FDEP Multi-Sector Generic permit for Stormwater Discharge Associated with Industrial Activity, which requires SiVance to comply with practices designed to prevent contamination of stormwater runoff and requires monitoring of stormwater discharges to ensure that those practices are sufficient.

There is an existing groundwater recovery system on site. The recovery system was implemented in 1999 with the goal of mitigating off-site migration of site contaminants in groundwater. Attached, is the most recent Groundwater Recovery System Annual Report, which analyzes groundwater quality data and recovery system operational data collected between April 2010 and March 2011.

Contamination levels have dropped to the point that CH2M Hill, the author of the report, has recommended discontinuing operation of the groundwater recovery system while leaving monitoring wells on site for annual monitoring.

- (2) *That necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use and development. The development must be connected to the potable water and wastewater system.*

Response: As stated in *Section 6, Sec. 30-233(3)*, the SiVance site is adequately served by GRU's public utilities. Furthermore, this SUP application does not request facility modifications or new facilities that would demand potable water and wastewater capacities in excess of the existing available services. The SJRWMD Consumptive Use Permit and GRU Industrial Wastewater Discharge Permit (*Attachment c.ix* and *c.xi*, respectively) are included in the Applications section of the Application Package.

- (3) *That the use or development conforms to the city's comprehensive plan.*

Response: As stated throughout *Section 3*, this SUP application complies with the City's Comprehensive Plan.

- (4) *That the proposed use complies with all federal, state and local laws, rules, regulations, and ordinances now and hereafter in force which may be applicable to the use of the site.*

Response: Complete documents for specific Federal, State, and local permits, registrations, certifications, etc. can be found in *Attachment c* of the Application Package. This documentation represents all required permits and compliance to support the existing and proposed uses on the SiVance site.

- (5) *That there has been proper abandonment, as regulated by the relevant water management district or state agency, of any unused wells or existing septic tanks at the site. An existing septic tank may remain if it is used solely for domestic waste and if it meets all applicable state and local regulations.*

Response: There are no unused wells or existing septic tanks on site.

- (8) *That the applicant is in compliance with the requirements of the Alachua County Hazardous Materials Management Code, and all applicable state and federal regulations.*

Response: The Attachments section of the Application Package contains the required permits, registrations, and other documents that verify the SiVance facility's compliance with the Alachua County Hazardous Materials Management Code and all applicable State and Federal regulations. Specifically, the

Attachments section contains the USDOT Hazardous Materials Certificate of Registration, the FDEP Storage Tank Registration, and the Alachua County Environmental Protection Department Hazardous Materials Storage Facility Registration. As previously mentioned, the Attachments section also includes the 2010-2011 Groundwater Recovery System Annual Report, which identifies site remediation and monitoring compliance per Alachua County ULDC Sec. 353.29.

SiVance also has a 24-hour Emergency Response Team (ERT) that consists of 45 primary members. The ERT is scheduled on 12-hour shifts from 7:00 am to 7:00 pm and from 7:00 pm to 7:00 am. The day shift typically consists of 23 primary ERT members on-site and 22 members on-call. The night shift is typically comprised of eight (8) ERT members on-site and 37 ERT members on-call. As required by OSHA 29 CFR 1910.120, the ERT receives industrial fire brigade training. Additional information regarding the SiVance ERT is located in *Attachment e* of the Application Package.

Sec. 30-203(b)(1)b. Whether the development properly addresses environmental features such as wetlands, creeks, lakes, sinkholes and soils to ensure that hazardous materials will not endanger the potable water supply and the environmental features; and

Response: This SUP application does not request the modification of existing or the construction of new facilities that would endanger sensitive environmental features including wetlands and soils by allowing hazardous materials to infiltrate the potable water supply. Protection of potable water is discussed above.

Sec. 30-203(b)(1)c. Whether the criteria listed in section 30-233 have been met.

Response: *Section 6* of this document describes how this SUP application meets the criteria listed in Section 30-233.