



PLANNING & DEVELOPMENT SERVICES DEPARTMENT
PO BOX 490, STATION 11
GAINESVILLE, FL 32602-0490

306 N.E. 6TH AVENUE
P: (352) 334-5022
P: (352) 334-5023
F: (352) 334-2648

TO: City Plan Board

Item Number: 10

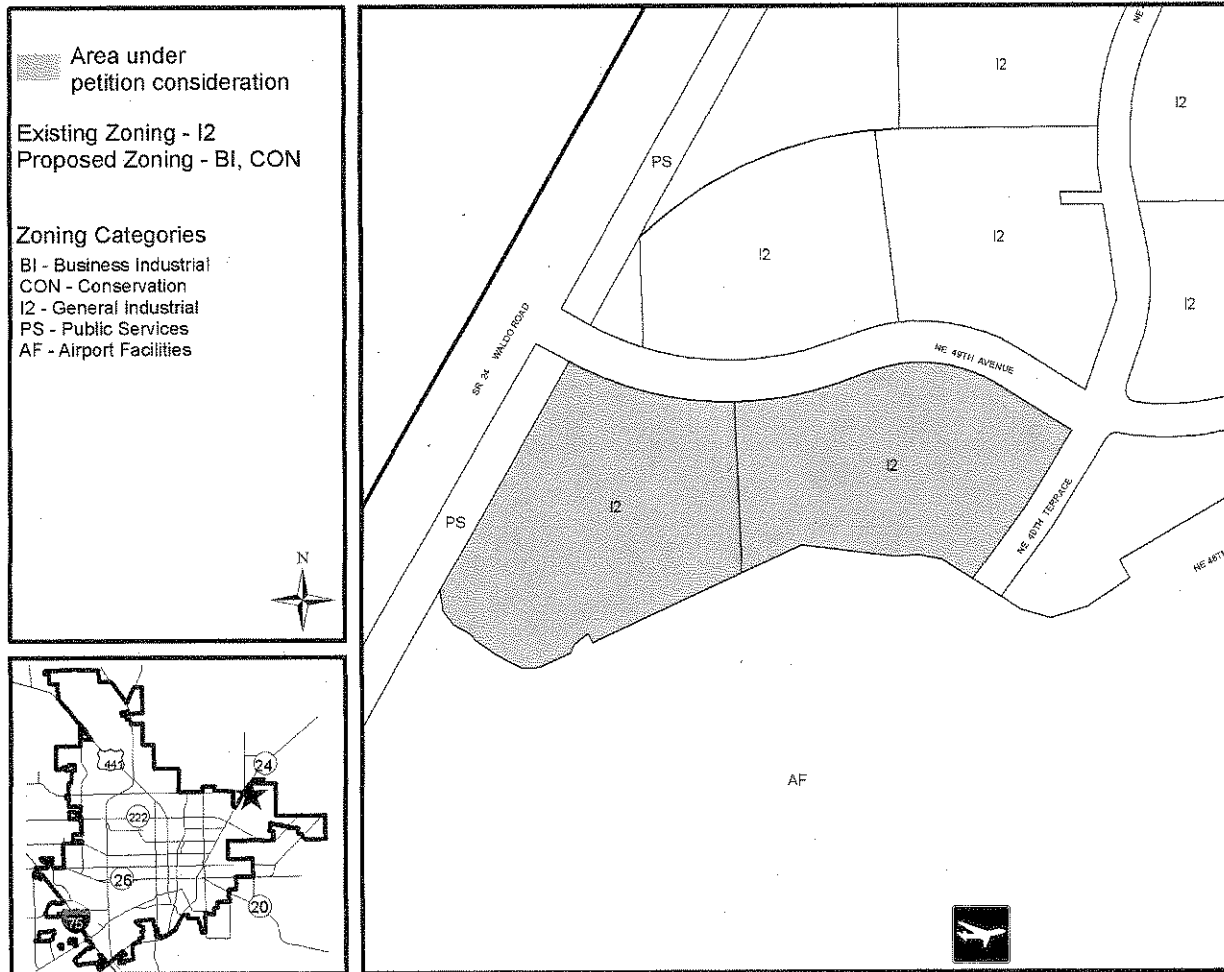
FROM: Planning & Development Services Department Staff

DATE: February 24, 2011

SUBJECT: Petition PB-11-14 ZON. Eng, Denman and Associates, agent for City of Gainesville. Rezone from I-2 (General industrial district) to BI (Business industrial district) and CON (Conservation district). Located at the southeast corner of Waldo Road and Northeast 49th Avenue intersection.

Recommendation

Staff recommends approval of Petition PB-11-14 ZON.



Description

This petition request is to rezone two parcels totaling approximately 15-acres in the Airport Industrial Park from I-2 (General industrial district) to BI (Business industrial district; for approximately 7.63 acres of the property) and CON (Conservation district; for approximately 7.35 acres of the property). The two parcels are undeveloped vacant land. Access to the parcels would be from NE 49th Avenue.

The property is located east of Waldo Road along the south side of NE 49th Avenue (see map on page 1) with the eastern boundary being NE 40th Terrace. The boundary to the south is formed by Little Hatchet Creek.

This request is a referral from the City Commission for staff to initiate a Plan Board petition for the property. The City Commission heard a presentation on August 19, 2010 (based on a June 30, 2010 vote by the Airport Authority to recommend preparation of planning proposals that include this property). The Commission voted unanimously to approve the planning concept for this property and to direct staff to initiate the petition (Legistar Number 100233). In coordination with the agent for the Gainesville-Alachua County Regional Airport Authority, this petition is now being brought forward for consideration.

The proposed change is to help place the Gainesville Regional Airport in a more strategic position to attract private business and development activity, which will generate additional revenues to ensure the airport can continue to operate as an independently funded facility. While the subject property is not located within the Plan East Gainesville study area, the Airport Industrial Park and Gainesville Regional Airport are considered catalysts for future economic development in the northeast part of the city. The Plan East Gainesville report does list the Airport Industrial Park as an employment generator for job creation for East Gainesville.

As illustrated on the map on page 1, the properties to the east and north (across NE 49th Avenue) have I-2 zoning. Immediately to the west of the property is the Waldo Road Rail-Trail with PS zoning (Public services and operations district). To the south is the Gainesville Regional Airport with AF (Airport facility district) zoning. The properties to the north are developed industrial uses. The property to the east is vacant. Additional information concerning adjacent uses and adjacent land use and zoning controls is shown in Table 1. The full map series for this petition is located in Appendix C.

The property is within the Enterprise Zone, which encourages economic development through certain incentive programs. It is also located in Transportation Concurrency Exception Area (TCEA) Zone A. Both parcels fall fully within the Secondary Wellfield Protection Zone. While Waldo Road is a Gateway Street, the property does not abut Waldo Road due to the intervening Waldo Road Rail-Trail.

Because of their proximity to the airport, the parcels are regulated by the adopted Airport Noise Zone Map and the Airport Height Notification Zone. The property is within Airport Height Notification Subzone 1. Development in this area must notify the Federal Aviation

Administration (FAA) of new building construction to ensure that there is verification that a navigation hazard is not being created.

The proposed Business Industrial and Conservation zoning categories represent a reduction in the total intensity of use that would be allowed on the property as compared to the existing I-2 zoning. The existing I-2 zoning allows heavy manufacturing and industrial uses. However, because this property is located in the Airport Industrial Park, there are restrictive covenants that limit uses to light industrial, light manufacturing, warehousing, and distribution uses. The area of the parcels proposed for the Conservation land use category lacks development potential due to the presence of the 10-year flood channel. There are also significant wetlands in that portion of the parcels. Due to the environmental sensitivity of large portions of the two parcels, the Conservation zoning is more appropriate than I-2 zoning.

The Business Industrial (BI) category is appropriate because it allows for a wider range of office, business and industrial uses than the I-2 zoning would. This broader range will make the property more marketable for development and provide more flexibility. As a general rule, the BI uses are less intense than those allowed in I-2, which is an advantage because of the smaller, developable area on this property due to the flood channel.

The current corresponding future land use category for this property is Industrial, which is consistent with the existing I-2 zoning. The Industrial land use category allows height limits up to 5 stories.

The proposed Conservation and BI zoning categories are listed in the Land Development Code (Sec. 30-46) as allowable under Industrial land use. Within the Future Land Use Element of the Comprehensive Plan, Conservation zoning is considered an acceptable corresponding/implementing zoning district under the Industrial land use category. A current petition to amend the Future Land Use Element has been approved by the Plan Board (PB-10-139 CPA) that will add BI as an implementing zoning under the Industrial land use category.

Key Issues

The key issues associated with the petition are:

- This petition request is a referral from the City Commission (Legistar Number 100233) as part of a strategy to attract private business and development activity in the Airport Industrial Park.
- Portions of the two parcels are within the 10-year flood channel, which limits development potential.
- The property contains extensive wetlands that limit development potential. The Environmental Coordinator has indicated that the wetland line depicted in the application underestimates the northern extent of the wetlands on the eastern half of the property.

- The existing I-2 zoning category does not provide adequate protection for the environmentally sensitive portions of the parcel.
- The proposed BI zoning on a portion of the parcels will provide greater flexibility for economic development and attracting a broader range of uses than the I-2 zoning.
- The proposed Conservation zoning on a portion of the parcels will provide better protection for the environmentally sensitive areas, which include Little Hatchet Creek (regulated creek), extensive wetlands, and the 10-year flood channel.

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 Conservation zoning is consistent with the Industrial future land use category existing on the property. The proposed BI zoning is shown as compatible with the Industrial future land use category in the Land Development Code, and a petition (PB-10-139 CPA) has been approved by the Plan Board to add BI to the compatibility list in the Future Land Use Element. This is related to Future Land Use Element Policy 4.7.1.

The Conservation zoning placed on the environmentally sensitive portions of the parcels is consistent with Conservation Element Objective 1.1 which states,

“Upon adoption of this Plan, the City shall protect all significant environmental lands and resources identified in the Environmentally Significant Land and Resources map series within the Future Land Use Map Series...”

The Conservation zoning will protect a regulated creek (Little Hatchet), wetland areas, and the flood channel area located on the site.

2. Conformance with the Land Development Code

The property is fully located in the Secondary Wellfield Protection Zone. The BI and Conservation districts are better suited to protection of the wellfield than the current I-2 zoning.

As stated in the Objectives clauses for the Business Industrial zoning district, the district is intended to “Allow a mix of uses that are compatible with airport operations in appropriate areas near the Gainesville Regional Airport;” and “Encourage business park development in appropriate locations throughout the community where public facilities and services exist or are planned.” (Land Development Code Sec. 30-67.1 (b)(3) and (4))

The parcels are in the Airport Industrial Park subdivision with existing streets and utilities in place, which is supported by the Land Development Code.

Development on these parcels will be subject to Land Development Code regulations including the Airport Noise Zone Map and the Airport Height Notification Zone.

3. Changed Conditions

The primary changed condition relates to the City's recent adoption of the new Business Industrial zoning district in 2009, which allows a broader range of uses than the I-2 zoning.

4. Compatibility

Table 1 shows the adjacent land uses and zoning at the site. The site currently has the I-2 zoning category designation. The surrounding zonings are I-2 and Airport Facilities, which are compatible with the BI zoning. The rail-trail to the west of the site has a PS zoning, which provides a buffer between the industrial properties and the Waldo Road Gateway Street.

As discussed earlier in the document, the proposed rezoning reduces the intensity allowed at the site and adds an area in Conservation zoning, which makes it compatible with the regulated creek, wetland areas, and flood channel constraints at the site.

5. Impacts on Affordable Housing

This rezoning does not involve residential use so there is no impact on affordable housing.

Transportation

There are no major transportation issues associated with this rezoning. The development is located in Zone A of the Transportation Concurrency Exception Area (TCEA). At the time of site plan review, the development will be required to comply with the TCEA Zone A regulations as shown in the Concurrency Management Element.

The site is served by Transit Route 24 that connects the Downtown to the Jobs Corps/Airport Industrial Park. There is an existing bus shelter located on Lot 1. There are no sidewalks along NE 49th Avenue.

Environmental Impacts and Constraints

The primary environmental issues at this site are:

- Little Hatchet Creek (regulated creek), which forms the southern boundary of the two parcels; development will have to meet the creek setback of 35 to 150 feet based on an assessment by the Environmental Coordinator of the creek situation. The areas proposed for Conservation Zoning appear to fully handle the creek setback requirements.

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- The 10-year flood channel covers roughly half of the property. The Conservation split zone line appears to include most of this area.
- There are significant wetlands at the property. The Environmental Coordinator visited the site in February 2011 and has indicated, in his professional judgment, that the jurisdictional wetland boundary would follow a more northerly line than shown in the report submitted by the applicant's agent and the environmental consultant.

Respectfully submitted,



Onelia Lazzari, AICP
Principal Planner

Table 1**Adjacent Existing Uses**

North	Warehouse/Distribution
South	Gainesville Regional Airport
East	Vacant and Gainesville Regional Airport
West	Waldo Road Rail-Trail

Adjacent Zoning and Land Use

	Zoning Category	Land Use Category
North	I-2	Industrial
South	AF	Public Facilities
East	I-2 & AF	Industrial and Public Facilities
West	PS	Public Facilities

List of Appendices

Appendix A Supplemental Documents

- Exhibit A-1 Zoning Map Amendment Report (Eng, Denman)
- Exhibit A-2 Environmental Report Letter (EC&D)
- Exhibit A-3 Legal descriptions and Sketch of legal descriptions

Appendix B Application and Neighborhood Workshop information

- Exhibit B-1 Application
- Exhibit B-2 Neighborhood Workshop information

Appendix C Map Series

- Exhibit C-1 Aerial Photograph
- Exhibit C-2 Existing land use designations
- Exhibit C-3 Existing zoning
- Exhibit C-4 Proposed zoning