

**TO:** City Plan Board

**Item Number:** 9

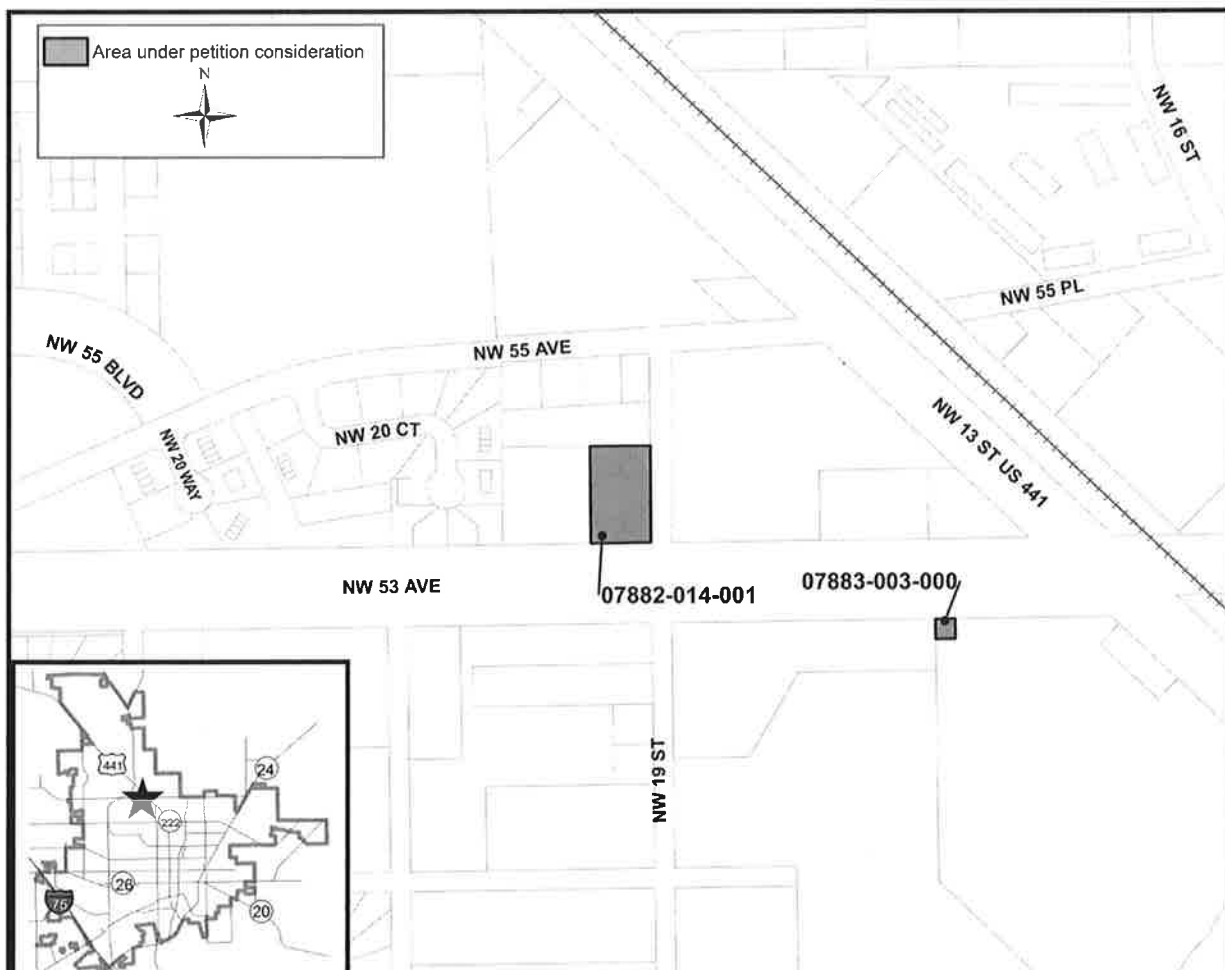
**FROM:** Planning & Development Services Department  
 Staff

**DATE:** September 25,  
 2014

**SUBJECT:** Petition PB-14-97 ZON. City of Gainesville. Rezone property from General business district (BUS) & General office district (OF) to Public services and operations district (PS). Located within the 1900 block of the north side of NW 53<sup>rd</sup> Avenue and located within the 1700 block of the south side of NW 53<sup>rd</sup> Avenue. Related to PB-14-96 LUC.

### Recommendation

Staff recommends approval of Petition PB-14-97 ZON.



## Description

This petition requests a rezoning from General office district (OF) and General business district (BUS) to Public services and operations district (PS) on two City-owned parcels of land. The parcel in the 1900 block of NW 53<sup>rd</sup> Avenue (tax parcel 07882-014-001) on the north side is approximately 0.83 acres in size and is currently vacant, with OF zoning and an Office land use designation. No development for this parcel is proposed for the near future. Gainesville Regional Utilities (GRU) does plan to construct a Power Delivery System (PDS) on the property in 2019.

The property located in the 1700 block of NW 53<sup>rd</sup> Avenue (tax parcel 07883-003-000) on the south side is approximately 50 feet by 50 feet in size. It is located within the development area of the Home Depot store. The parcel contains a lift station, which has BUS zoning and a land use designation of Commercial because this parcel was originally a part of the larger Home Depot parcel. No changes are proposed for this parcel. Please see the map on page 1 for the location of the subject properties, and Appendix B for the full map series. This petition is related to Petition PB-14-96 LUC, which would amend the future land use map for both parcels from Office and Commercial to Public and Institutional Facilities (PF).

The proposed PS zoning district identifies those areas that are suitable for the necessary public and private utility and recreation activities that serve and are used directly by the public for their own benefit and are necessary to the normal conduct of the community's activities. The reason for the rezoning petition (and the related proposed land use amendment) is to apply the most appropriate designations on these City-owned properties that include an existing utility facility and plans for a future utility facility that will serve a public purpose. The zoning and the associated land use amendment will also take land that is classified as office and commercial and place them in the correct public services and operations category, which will be more accurate for any data requests in the future that may want a report on the acreage or the amount of various types of land in the city.

## Key Issues

- The proposed rezoning is consistent with the Comprehensive Plan, as discussed below in "1. Consistency with the Comprehensive Plan."
- GRU currently has plans to construct a Power Delivery System in 2019 on the subject property in the 1900 block of NW 53<sup>rd</sup> Avenue, north side; the property in the 1700 block of NW 53<sup>rd</sup> Avenue, south side is in use by GRU as a lift station. The PS zoning district is more appropriate for these properties than the existing zoning districts.
- The amendment will help to provide a more accurate count of the types of land that actually exist within the city.

## **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 PS rezoning is consistent with the City's Comprehensive Plan and implements the PF land use category change proposed in Petition PB-14-96 LUC. The following objective and policies are the most pertinent to this petition. Objective 4.2 and Policy 4.2.1 can be adequately met by this petition because the existing and the future proposed public facility use are appropriate for all land use categories since the utility use is placed in a particular location to serve the surrounding uses. Land development regulations will ensure that any proposed public facility will be scaled to fit into the character of the area.

## **Future Land Use Element**

**Objective 4.1**           The City shall establish land use designations that allow sufficient acreage for residential, commercial, mixed use, office, industrial, education, agricultural, recreation, conservation, public facility, and institutional uses at appropriate locations to meet the needs of the projected population and that allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites.

**Policy 4.1.1**           Land Use Categories on the Future Land Use Map shall be defined as follows:

### **Public and Institutional Facilities**

This category identifies lands used for: administrative, operational, and utility governmental functions; private utilities; cemeteries; and public-private partnerships or other legal arrangements where the land title is vested in a government and the use(s) serves a public purpose. Maximum lot coverage in this category shall not exceed 80 percent, except in urban core areas where lot coverage is not limited.

The list of other applicable comprehensive plan policies is located in Appendix A. This proposal is consistent with the redevelopment objectives of the City as listed in Objective 2.1 of the Future Land Use Element (see Appendix A).

The petition site is located within Zone B of the City's Transportation Mobility Program Area (TMPA), where any development or redevelopment must meet certain transportation mobility criteria based on the development's trip generation. Because the existing lift station and the

future Power Delivery System are utility uses that do not generate a significant amount of traffic, no transportation mobility criteria should need to be met.

## **2. Conformance with the Land Development Code**

The proposed rezoning is consistent with the Land Development Code. No further development is anticipated on the lift station parcel. Any future development on the parcel proposed for the Power Delivery System will be subject to the applicable requirements of the Land Development Code at the time of development review. The specific use(s) permitted on the subject properties shall be specified as part of the rezoning ordinance which places the PS zoning category on a particular parcel of land. Please see the complete list of proposed uses as shown in Appendix B.

## **3. Changed Conditions**

Staff discovered that the lift station property was owned by the City Of Gainesville but did not have PS zoning or PF land use. The vacant parcel with OF zoning was purchased by the City in 2007, with future plans for the placement of a Power Delivery System. It was determined that the PS zoning and PF land use designations would more accurately reflect what is planned for the property.

## **4. Compatibility**

Concerning tax parcel 07882-014-001, there is vacant office designated land to the north, undeveloped right-of-way of NW 19<sup>th</sup> Street to the east, the right-of-way for NW 53<sup>rd</sup> Avenue including land for overhead utility lines to the south, and a vacant former lodge building to the west. In general the character of the area to the east of the subject parcel is commercial, while the area transitions to residential to the west. The proposed PS zoning designation is compatible with the surrounding uses and the proposed utility use for this property in the future. It is not abutting any residentially zoned properties.

Tax parcel 07883-003-000 is the lift station, which is generally part of the development site for the Home Depot store. The parcel is a 50 foot by 50 foot square along the NW 53<sup>rd</sup> Avenue frontage for the store, set within the landscape and garden wall area of the site, with parking and driveway areas to the east, west and south. The proposed PS zoning designation is more appropriate for the current use than the existing Commercial land use, and is consistent with the surrounding land uses.

## **5. Impacts on affordable housing**

This rezoning petition does not involve residential land; therefore, no impact on affordable housing is anticipated.

## **Transportation**

The properties are located within Zone B of the City's Transportation Mobility Program Area (TMPA), but are not expected to create additional traffic impacts because these types of utility uses do not generate a significant amount of traffic.

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### Environmental Impacts and Constraints

There are no major environmental issues concerning the subject properties. There are no wetland or floodplain areas on either site. Stormwater management will be addressed at the time of development plan review and will be subject to the requirements of the Land Development Code concerning location within the Wellfield District. The City's Environmental Coordinator has reviewed the property and determined that it is exempt from the Natural and Archaeological Resources Protection regulations.

Respectfully submitted,



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Prepared by:

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### Table 1

For tax parcel 07882-014-001:

#### Adjacent Existing Uses

<b>North</b>	Vacant office land
<b>South</b>	Right-of-Way, single-family dwelling across the street
<b>East</b>	Undeveloped right-of-way, commercial development
<b>West</b>	Vacant lodge building

#### Adjacent Zoning and Land Use

	Land Use Category	Zoning Category
<b>North</b>	Office	OF
<b>South</b>	Right-of-Way, RL across the street	Right-of-Way, RMF-5 across the street
<b>East</b>	Right-of-Way, Commercial	Right-of-Way, BA
<b>West</b>	Office	OF

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For tax parcel 07883-003-000:

### Adjacent Existing Uses

<b>North</b>	Right-of-Way, service station across the street
<b>South</b>	Home improvement store
<b>East</b>	Landscaping and parking for home improvement store
<b>West</b>	Landscaping and driveway for home improvement store

### Adjacent Zoning and Land Use

	<b>Land Use Category</b>	<b>Zoning Category</b>
<b>North</b>	Right-of-Way, Commercial across the street	Right-of-Way, BA across the street
<b>South</b>	Commercial	BUS
<b>East</b>	Commercial	BUS
<b>West</b>	RM (Owned by Home Depot)	RMF-6 (Owned by Home Depot)

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## **List of Appendices**

### **Appendix A Comprehensive Plan GOPs**

Exhibit A-1 Future Land Use Element

### **Appendix B Land Development Code**

Exhibit B-1 Public services and operations district purpose, objectives, and uses permitted by right

### **Appendix C Supplemental Documents**

Exhibit C-1 Existing Zoning Map

Exhibit C-2 Proposed Zoning Map

Exhibit C-3 Aerial Map

### **Appendix D Application and Neighborhood Workshop information**

Exhibit D-1 Application and Neighborhood Workshop Notes and information