

**LEGISLATIVE #**

**110814A**



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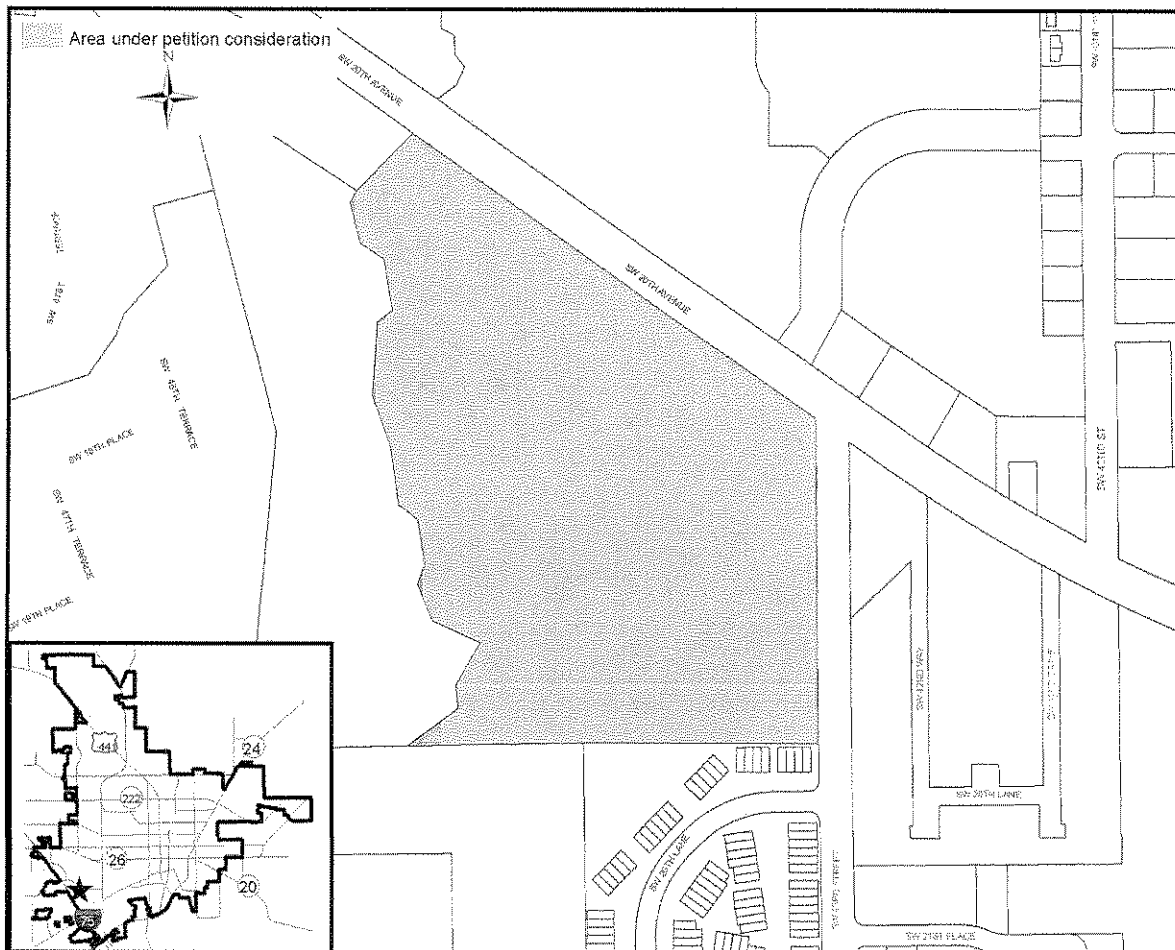
**TO:** City Plan Board **Item Number: 2**

**FROM:** Planning & Development Services Department **DATE:** February 23, 2012  
 Staff

**SUBJECT:** Petition PB-11-137 LUC. City Plan Board. Amend the City of Gainesville Future Land Use Map from Alachua County Recreation to Recreation, Conservation, and Public Facilities. Located at 2000 SW 43<sup>rd</sup> Street.

### Recommendation

Staff recommends approval of Petition PB-11-137 LUC.



## **Description**

This petition is a large-scale land use amendment to change the future land use map from Alachua County Recreation to the City of Gainesville Recreation, Conservation and Public Facilities land use designations on the subject property. The approximately 26.4 acre property is located at 2000 SW 43<sup>rd</sup> Street, on the southwest corner of SW 43<sup>rd</sup> Street and SW 20<sup>th</sup> Avenue. The property includes Forest Park, a community park with active recreational facilities including basketball goals, soccer fields, sand volleyball courts, picnic shelters and an off-leash dog area. Also included on the property is Alachua County Fire Rescue Station #19. If the proposed land uses are approved, the zoning designations that will be proposed for the property would be PS (Public services and operations district) and Conservation, with the active recreation portion of the park and the fire rescue station under PS and the remainder under Conservation.

This land use change is required to apply City of Gainesville land use designations on property that was annexed into the city in 2009. The proposed Recreation land use category was selected to provide a close match to what the existing Alachua County land use designation is. Typically for annexed properties, the City considers the current Alachua County land use designation and proposes a similar City designation. However, it was determined that a Public Facilities land use designation is more compatible and appropriate for the fire rescue station that lies on the same tax parcel as the park. It was also determined that the western area of the park adjacent to Hogtown Creek consists of environmentally sensitive lands that are constrained for development. Staff proposes to designate areas of the site impacted by the creek, wetlands, and the flood channel district as Conservation zoning.

Please see the map on page 1 for the general location of the subject property, and Appendix C for the full map series.

## **Key Issues**

- City of Gainesville land use designations must be applied to annexed properties.
- The Recreation land use designation was chosen for the active recreation portion of the site because it is compatible with the existing Alachua County Recreation land use, as well as with the active recreation uses at the site.
- The Public Facilities land use designation is most appropriate for the fire rescue station portion of the site.
- The Conservation land use designation is appropriate for portions of the site because of the environmental features present, including Hogtown Creek, the ten-year flood channel, mature hardwood forest, and wetlands.
- Forest Park is a community park that serves, among others, the student population that lives in the residential developments in the surrounding area.

## **Basis for Recommendation**

The staff recommendation is based on the factors stated in the Future Land Use Element and on State statute criteria, 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; 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**

The proposed land use categories are consistent with Gainesville's Comprehensive Plan. The City designates annexed land with appropriate land use categories that are consistent with the surrounding area. The following objective and policies are the most pertinent to this petition.

**Objective 4.1**           The City shall establish land use designations that allow sufficient acreage for residential, commercial, mixed use, office, professional uses and industrial uses at appropriate locations to meet the needs of the projected population and which 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:

### **Recreation**

This category identifies appropriate areas for public and private leisure activities. Land development regulations shall address the scale, intensity and buffering of structures and outdoor improvements. This category shall meet the appropriate intensities of use as established by the Recreation Element.

### **Conservation**

This category identifies areas environmentally unsuited to urban development, permanent buffers between land uses, areas used for passive recreation and nature parks. Privately held properties within this category shall be allowed to develop at single-family densities of 1 unit per 5 acres. Land development regulations shall determine the appropriate scale of activities, structures and infrastructure that will be allowed.

### **Public Facilities**

This category identifies administrative and operational governmental functions such as government offices, utility facilities and storage facilities. Maximum lot coverage in this district shall not exceed 80 percent.

**Objective 4.4**           Newly annexed lands shall retain land uses as designated by Alachua County until the Future Land Use Element of this Plan is amended.

The list of other applicable comprehensive plan policies is located in Appendix A.

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

The subject parcel is located on the southwest corner of SW 43<sup>rd</sup> Street and SW 20<sup>th</sup> Avenue. To the south is a condominium development with City of Gainesville Urban Mixed-Use 2 (UMU-2: up to 100 units per acre) land use and Alachua County Multiple family, high density district (R-3) zoning, as well as vacant land with City of Gainesville Conservation and Residential Medium-Density (8-30 units per acre) land use and Conservation and RMF-8 (8-30 units/acre multiple-family residential district) zoning. To the west is City of Gainesville land with Conservation land use and zoning. To the north across SW 20<sup>th</sup> Avenue is an apartment development with City of Gainesville Mixed-Use Medium Intensity (12-30 units per acre) land use and MU-2 (12-30 units/acre mixed use medium intensity) zoning. Also to the northeast of the fire station is a strip commercial center with UMU-2 land use and Alachua County Retail sales and services (BR) district zoning. East of SW 43<sup>rd</sup> Street is another apartment development with UMU-2 land use and Alachua County PD (Planned development district) zoning. The proposed Recreation category was chosen for the active recreation portion of the site because it is compatible with the existing Alachua County Recreation land use, and a park is compatible with surrounding development in the area. The proposed Public Facilities land use designation is appropriate for the fire rescue station portion of the site, and the proposed Conservation land use is appropriate for the environmentally sensitive portion of the site that abuts existing City Conservation designated land to the west of the park.

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

Approximately 7.5 acres (28%) of the subject property has been designated as Strategic Ecosystem by Alachua County. These are sensitive environmental areas identified for various environmental features including watershed quality, the presence of endangered species and native plant and animal habitats. They are mapped in a generalized manner until a specific proposal is brought forth requiring an actual determination on the ground for specific boundaries. When the boundaries are set, set-asides for conservation of the environmental features are required. For annexed property, the Strategic Ecosystem designation remains in place until the City adopts a land use designation for the property. Although these areas are not currently regulated by the City, current Petition PB-10-143 TCH is a proposal to amend the Land Development Code to add and update provisions for environmental protection, including adopting regulations for strategic ecosystems that are within City limits as identified by the KBN/Golder 1996 report. This report was adopted by Alachua County and identifies significant natural biological communities, both upland and wetland. Any future development proposal will have to comply both with the provisions of Policy 3.1.1 of the Future Land Use Element, which addresses the protection of environmentally sensitive resources, and with the land development regulations that implement this policy.

Environmental Coordinator John Hendrix, has visited the subject property and has provided comments related to environmental features:

The west property boundary runs with the meandering centerline of Hogtown Creek. Soccer/football fields, basketball and volleyball courts, a fenced dog park, picnic pavilion, restrooms and parking are present on the higher eastern area of the property. An electric power line utility extends across the southeast corner of the property, and a public fire station facility is located in the northeast corner near the road intersection. The west side of the property, associated with Hogtown Creek and its wetland/floodplain, is heavily forested. A recently constructed stormwater management facility (large swale) borders the property on the north adjacent to SW 20<sup>th</sup> Avenue.

Throughout the western part of the property, floodplain and wetland areas of Hogtown Creek are present below elevations of approximately +58 feet North American Vertical Datum, 1988 (NAVD), and the associated 10-year flood channel extends up to elevation +59.7 feet NAVD. This forested creek/wetland system supports a high quality mixed hardwood swamp community. The transitional zone between the edge of the hardwood swamp and the open fields of the park supports a band of mature mesic forest dominated by live oak, swamp laurel oak, water oak, sweet gum, red maple, and loblolly pines and serves as an excellent natural buffer for Hogtown Creek and its diverse wetland community. Archaeological resource sites are present adjacent to this parcel, on the north and west, and a small site lies within the parcel in the southeast area in the vicinity of the existing power line. None of these sites have been found to be significant or eligible for listing in the National Register of Historic Places.

As mentioned above, most of the forested western area of the parcel lies within the Hogtown Creek surface water/wetland area, which is regulated pursuant to *LDC 30-301 Regulated surface waters and wetlands*. Any proposed use of this area of the property would require avoidance of the creek/wetland area, and the associated buffer requirement (50-foot buffer) of the code would further restrict potential development uses in this area. In addition, the 10-year flood channel extends across the entire Hogtown Creek wetland and up into the wetland buffer area.

More than half of the forested area on the west side of the property along Hogtown Creek is identified as Strategic Ecosystem in the *Alachua County Ecological Inventory Project (KBN/Golder Associates) 1996* study. The site summary (Hogtown Prairie-Sugarfoot) for this highly ranked natural resource site describes the lower Hogtown Creek floodplain as having “magnificent mature hardwood forests of different kinds...in great condition overall.” In this location, the area of the property within the Strategic Ecosystem falls within the wetlands and floodway of the creek system.

Based on the high quality natural resources found within the forested area on the west side of the subject property, it is recommended that the Conservation land use category be placed on this 8.61 acre area of floodway, creek/wetland, Strategic Ecosystem, and associated buffer, as appropriate to limit and prohibit development activities consistent with the comprehensive plan and land development code. The

extent of the recommended Conservation land use on the property was agreed upon through coordination and onsite conference with representatives of the Alachua County Growth Management, Public Works, and Environmental Protection Departments. The City Environmental Coordinator concurred with the County Environmental Protection Department that the comparable environmental regulations of either the City or the County would require that the high quality natural resource areas and associated buffer be protected from development activity. The extent of these regulated areas for which protection is required is closely approximated by the area encompassed by the proposed Conservation land use. This land use category will confer an appropriate priority for preservation of this high quality natural area, while allowing for specified compatible uses such as environmental education and passive recreational uses.

#### **4. Support for urban infill and/or redevelopment**

This proposed land use amendment applies City of Gainesville land use designations that match the existing Alachua County land use with the exception of the portion of land that includes the fire rescue station and the area included in the Strategic Ecosystem. These proposals promote the stable continuation of the existing uses, thus enhancing existing urban infill development in the Urban Village area of the City and protecting sensitive environmental features.

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

This land use amendment will have no impact on affordable housing.

#### **6. Impacts on the transportation system**

The proposed land use amendment would allow no more trips in general than the existing Recreation land use because the property is already developed in recreation and fire station uses. The property is located within Zone M of the City's Transportation Concurrency Exception Area (TCEA). Bus Route 20 runs along SW 20<sup>th</sup> Avenue connecting the University of Florida (UF) with the Oaks Mall. Bus Route 21 runs along SW 20<sup>th</sup> Avenue to UF, connecting Cabana Beach apartments with the campus. Bus Route 22 runs along SW 43<sup>rd</sup> Street to SW 24<sup>th</sup> Avenue and connects this area with UF. Bus Route 62 runs along SW 20<sup>th</sup> Avenue and also along SW 43<sup>rd</sup> Street, connecting the Oaks Mall with multiple-family residential development in the area east of SW 34<sup>th</sup> Street. There is a driveway into the site off of S.W. 20<sup>th</sup> Avenue. During some soccer matches at the park, drivers pull off of SW 43<sup>rd</sup> Street and park along the side of the street.

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

In the case of any future development on the property, the proposed land use amendment will not adversely impact adopted levels of service for potable water, wastewater, solid waste, and recreation. In fact, additional recreational facilities will enhance recreational opportunities in the area. Stormwater management is addressed at the time of development plan review. The existing park and fire station uses are served by existing roads, potable water, wastewater facilities, and stormwater facilities.

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At the time of any type of development plan review, the proposal will be required to meet the standards of Policy 1.1.13 of the Concurrency Management Element, because it is located in TCEA Zone M.

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

The subject property was annexed into the City in 2009. This petition is intended to apply City of Gainesville land use designations onto annexed property. The recreation acreage provided does help the recreation level of service standard for the proposed switch from a facility-based level of service standard to an acreage based standard. Forest Park does add community park acreage into the city limits.

Respectfully submitted,

  
Onelia Lazzari  
Principal Planner

Prepared by: 

Jason Simmons  
Planner



**Table 1****Adjacent Existing Uses**

<b>North</b>	SW 20 <sup>th</sup> Avenue, multiple-family residential
<b>South</b>	Multiple-family residential, conservation
<b>East</b>	S.W. 43 <sup>rd</sup> Street, multiple-family residential
<b>West</b>	Conservation land

**Adjacent Zoning and Land Use**

	<b>Zoning Category</b>	<b>Land Use Category</b>
<b>North</b>	City of Gainesville MU-2	City of Gainesville MU-M
<b>South</b>	Alachua County R-3 and City of Gainesville CON	City of Gainesville UMU-2 and CON
<b>East</b>	Alachua County BR and PD	City of Gainesville UMU-2
<b>West</b>	City of Gainesville CON	City of Gainesville CON

## List of Appendices

### Appendix A Comprehensive Plan GOPs

- Exhibit A-1 Future Land Use Element
- Exhibit A-2 Conservation, Open Space & Groundwater Recharge Element

### Appendix B Land Development Code

- Exhibit B-1 Conservation purpose, objectives, and permitted uses
- Exhibit B-2 Public Services and Operations District purpose, objectives, and permitted uses

### Appendix C Supplemental Documents

- Exhibit C-1 Existing Land Use Map
- Exhibit C-2 Proposed Land Use Map
- Exhibit C-3 Aerial Map
- Exhibit C-4 Strategic Ecosystem Map

### Appendix D Application

- Exhibit D-1 Land Use Application
- Exhibit D-2 Sketch and Legal Description