



PLANNING & DEVELOPMENT SERVICES DEPARTMENT

PO Box 490, STATION 11
GAINESVILLE, FL 32627-0490306 N.E. 6TH AVENUE

P: (352) 334-5022

P: (352) 334-5023

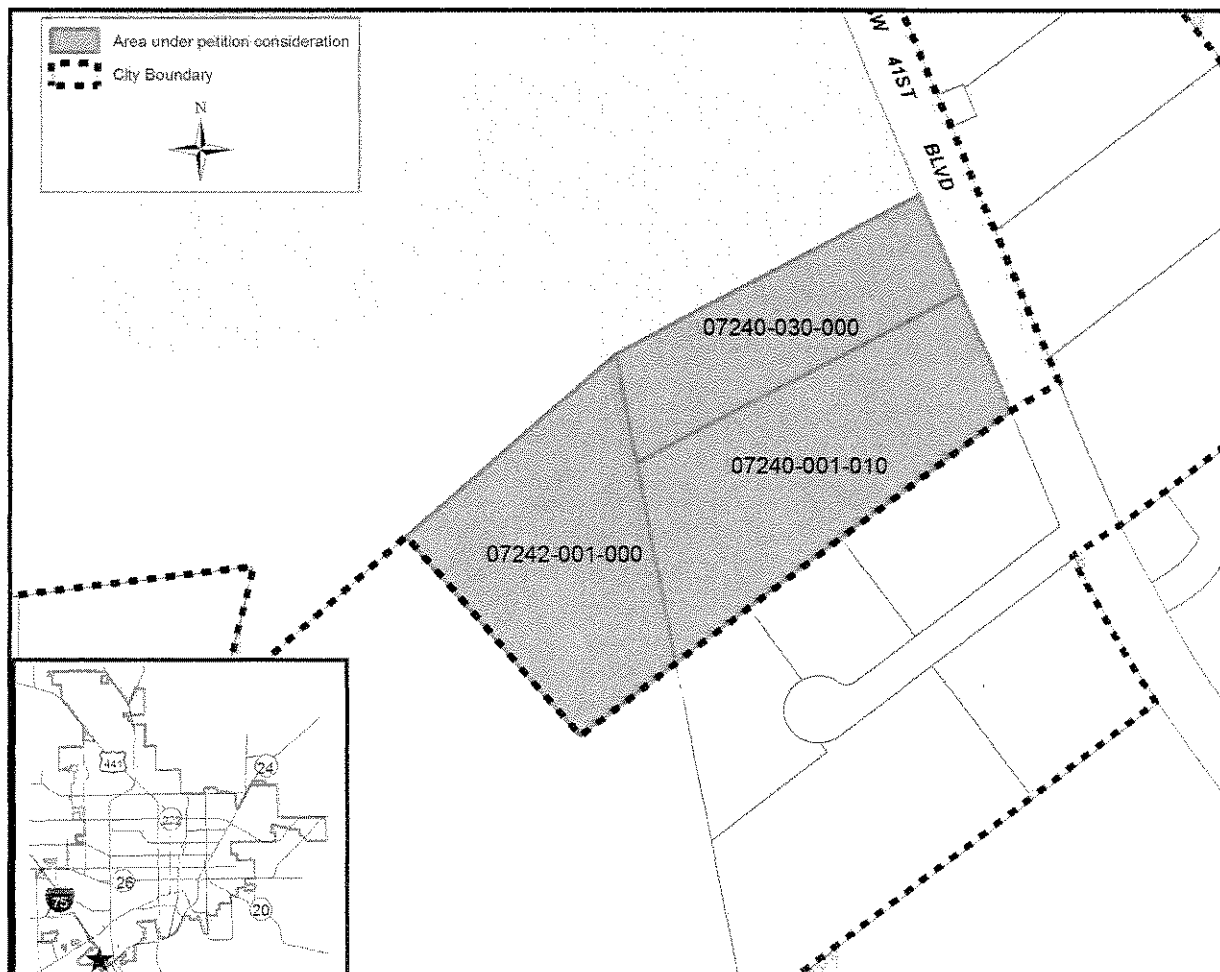
F: (352) 334-2648

TO: City Plan Board**Item Number:** 6**FROM:** Planning & Development Services Department
Staff**DATE:** January 23, 2014

SUBJECT: Petition PB-13-125 ZON. City Plan Board. Rezone property from Alachua County Industrial services and manufacturing (MS) and Planned development (PD) districts to City of Gainesville Business industrial (BI) district. Located in the 5000 block of SW 41st Boulevard, west side. (Fred Bear Drive). Related to PB-13-124 LUC.

Recommendation

Staff recommends approval of Petition PB-13-125 ZON.



Description

This approximately 11.42-acre property (see map on page 1) was voluntarily annexed into the City on November 4, 2013 by Ordinance No. 130243. The proposed rezoning from Alachua County Industrial services and manufacturing (MS) and Planned development (PD) districts to City of Gainesville Business industrial (BI) district will assign City zoning on the annexed property. This petition for rezoning will implement the related large-scale land use amendment Petition PB-13-124 LUC, which proposes amending the property's land use designation from Alachua County Heavy Industrial to City of Gainesville Business Industrial.

The property is comprised of three parcels situated on the west side of the 5000 block of SW 41st Boulevard. The majority of the site is developed and in service as a waste transfer facility operated by the WCA Waste Corporation. A fourth fully developed parcel, which was not annexed into the City, lies directly south of the properties subject to this rezoning.

See Exhibit B-1 for an aerial photograph of the property and surrounding area. Exhibits B-2 and B-3 are maps illustrating the existing and proposed zoning district.

Background Information

In 2000, Alachua County approved a development plan for the existing waste transfer station. At the same time, the westernmost parcel (07242-001-000) was rezoned to Alachua County PD and incorporated into the overall site plan. In 2007, a site plan was approved by Alachua County to add a compressed natural gas (CNG) fueling station on parcel 07240-001-010. This petition, if approved, will allow the continued use of the site as a waste transfer station with the associated parking and fleet vehicle service facilities.

Key Issues

- This is an annexed property that requires City zoning.
- The proposed rezoning to Business industrial district will implement related Petition PB-13-124 LUC, which proposes a large-scale land use amendment from Alachua County Heavy Industrial to City of Gainesville Business Industrial.

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 rezoning to Business Industrial (BI) district is fully consistent with the proposed Business Industrial land use category. The proposed rezoning is also consistent with City of Gainesville Future Land Use Element Policy 4.1.1 (Business Industrial), Objective 4.4, and Policies 4.4.1 and 4.4.2, below. See Exhibit A-1 for other relevant Gainesville Comprehensive Plan policies.

Future Land Use Element

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

Business Industrial

This land use category is primarily intended to identify those areas near the Gainesville Regional Airport appropriate for office, business, commercial and industrial uses. This district is distinguished from other industrial and commercial districts in that it is designed specifically to allow only uses that are compatible with the airport. Intensity will be controlled by adopting land development regulations that establish height limits consistent with the Airport Hazard Zoning Regulations. When not located within an airport zone of influence, this category may be used to designate areas for office, business, commercial and industrial uses, with a maximum height of 5 stories, and a maximum floor area ratio of 4.0. Land development regulation(s) shall specify the type and distribution of uses, design criteria, landscaping, pedestrian and vehicular access.

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.

Policy 4.4.1 Land use amendments should be prepared for all annexed properties within one year of annexation.

Policy 4.4.2 Alachua County LOS standards shall apply until newly annexed lands are given land use designations in this plan.

2. Conformance with the Land Development Code

The proposed rezoning to Business industrial district will implement the BI land use category proposed by Petition PB-13-124 LUC. At the development plan stage, any proposed development will be required to meet all of the Land Development Code requirements. In particular, because of the presence of sensitive environmental areas on the property including Strategic Ecosystem areas and wetlands, development will have to comply with the Land Development Code requirements of Division 4 – Regulated Natural and Archaeological Resources, and Subdivision III - Surface Waters and Wetlands District.

The Business industrial zoning district allows a mix of office, business, and industrial uses within a combined setting. The district supports enterprises engaging in light manufacturing, processing or fabrication of products and machinery, research and development operations, business retail, medical uses and wholesale or storage distribution concerns. Uses that are permitted (either by right or special use permit) in this zoning district are listed in Exhibit A-4 – BI zoning district regulations.

3. Changed Conditions

The major changed condition is the 2013 annexation of this developed property into the City of Gainesville.

4. Compatibility

The proposed Business industrial zoning is compatible with the adjacent properties and surrounding area. As previously stated, the site is developed and in operation as a waste transfer station. The site is bordered by Business industrial zoning to the north and surrounded by a variety of warehouse, service, and industrial uses to the south and east.

5. Impacts on Affordable Housing

The proposed rezoning will have no impact on affordable housing. Residential development is not permitted by either the existing Alachua County Industrial services and manufacturing (MS) and Planned development (PD) districts or the City of Gainesville Business industrial zoning.

Transportation

There are no major transportation issues associated with this already developed site. The site is located within Zone D of the Gainesville Transportation Mobility Program Area (TMPA). At the time of development plan review, this 11.42-acre property will be subject to the Zone D requirements of Policy 10.1.9 of the Transportation Mobility Element. The property is served by SW 41st Blvd (Fred Bear Drive). There are no sidewalks on Fred Bear Drive. The site is not currently served by RTS service. The nearest Regional Transit System (RTS) routes (Routes 35 and 36) are located east of the Williston Road/I-75 interchange.

Environmental Impacts and Constraints

The City's Environmental Coordinator provided the following environmental analysis for the subject property consistent with the requirements of the City Land Development Code 30-300 Surface Waters and Wetlands, and 30-310 Natural and Archaeological Resources:

The subject petitions for proposed changes in land use and rezoning for three contiguous parcels (07242-001-000, 07240-030-000, and 07240-001-010), located on the west side of SW 41st Boulevard (Fred Bear Drive), have been reviewed for considerations relating to natural and environmental resources which may be present on or immediately adjacent to the property. The petitions propose a land use change from Alachua County Heavy Industrial to City of Gainesville Business Industrial, and rezoning from Alachua County Industrial Services and Manufacturing (MS) and Planned Development (PD) to City of Gainesville Business Industrial (BI) District. The property is largely covered by existing development of the former Boone Waste facility, now owned and operated by the WCA Waste Corporation as a waste transfer, fleet fueling, maintenance, and container storage facility.

The more easterly parcels (07240-030-000 and 07240-001-010) of the parcel group front on SW 41st Boulevard and contain buildings, parking and paving, fueling stations, and a stormwater management basin which serves the developed area. Within the rear lot (the westerly parcel 07242-001-000) is a container yard, a stormwater basin which receives drainage from a perimeter swale running along the north and west property boundary, and an early successional oak-dominated wooded area approximately two acres in size. Large waste containers are arranged in an unpaved storage area for transportation to job sites.

The property has been reviewed to determine if there are any environmental resources present on or immediately adjacent which might be regulated by City Land Development Code 30-300 *Surface Waters and Wetlands*, or 30-310 *Natural and Archaeological Resources*. Wetland areas are present on adjacent property to the north and west, and segments of the northeast and southwest property boundaries of the subject property fall within the minimum average buffer distance required for wetland protection pursuant to 30-302(b). The boundary of a Strategic Ecosystem area runs through the north and west parts of the property. As such, the subject parcel group, as well as an additional adjacent parcel to the southeast, all under the same ownership, have been considered as the planning parcel and evaluated by staff for purposes of the 30-310 environmental assessment and review. This strategic ecosystem is the 400 acre unit known as Fred Bear Hammock, a karst landscape covered by mature calcareous mesic hammock upland forest interspersed with high quality depressional wetlands and notable geologic characteristics associated with limerock outcrops. The core area of Fred Bear Hammock lies just north and west of the subject property, although its highest value resource areas are not immediately adjacent to the subject property boundaries, with the exception of the previously mentioned wetland along the northeast boundary.

Within the property evaluated under this review, the remnant areas of edge and early successional forest along the north boundary and within the western parcel, provide value to this strategic ecosystem unit through buffering the offsite high value areas. Prior County land use and zoning actions, as well as recent pre-application development reviews by County environmental staff, resulted in recommendations for compliance with County regulations relating to strategic ecosystem preservation which are comparable with the review conducted in this report under applicable City natural and environmental regulations. The conclusion and recommendation of this City review is to confirm the prior County determination that any development plan submitted for the subject property under the requested land use and zoning should comply with 30-310 by providing for the set-aside/preservation of the remaining forested areas on the north and west sides of the property, all of which lie within the mapped Strategic Ecosystem area and constitute less than 50% of the regulated upland area. This provision will restrict the northern limits of existing development to the existing footprint, and acknowledge and maintain the approximate minimum buffer for the offsite wetland at the northeast corner mentioned above during any subsequent reviews of development proposals for the property.

No other regulated natural resource areas were identified for the subject parcel group and associated study area. Active hazardous material facilities regulated by the County are present on the site and on adjacent facilities in the area. Due to the high environmental and natural resource quality of the adjacent strategic ecosystem area, and the vulnerability of groundwater resources in this area, land uses should receive careful consideration of any potential impact via design and maintenance of storage facilities, or of inadvertent runoff and ground surface discharges which might move into the aquifer. Waste container storage, fueling facilities, vehicle maintenance, and related activity on the site should be contained, confined, and conducted in a manner cognizant of local geologic conditions.

Petition PB-13-125 ZON
January 23, 2014

Respectfully submitted,



Onelia Lazzari, AICP
Principal Planner

Prepared by:



Andrew Persons, LEED GA
Senior Planner

Petition PB-13-125 ZON
January 23, 2014

Table 1

Adjacent Existing Uses

North	Undeveloped land within City of Gainesville
South	Warehouses, offices
East	SW 41st Blvd., Warehouses, fleet service shops, building material supply
West	Undeveloped land within Alachua County

Adjacent Zoning and Land Use

	Land Use Category	Zoning Category
North	Business Industrial	Business industrial (BI) district
South	Alachua County: Industrial services and manufacturing (MS)	Alachua County: Heavy Industrial
East	Alachua County: Industrial services and manufacturing (MS)	Alachua County: Heavy Industrial
West	Alachua County: Agriculture	Alachua County: Heavy Industrial

List of Appendices

Appendix A Comprehensive Plan GOPs

Exhibit A-1 Comprehensive Plan GOPs

Appendix B Supplemental Documents

Exhibit B-1 Aerial Photograph
Exhibit B-2 Map: Existing Zoning
Exhibit B-3 Map: Proposed Zoning
Exhibit B-4 BI zoning district regulations

Appendix C Application Package

Exhibit C-1 Rezoning Application