



City of Gainesville
Department of Doing
Planning Division

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CITY PLAN BOARD STAFF REPORT

PUBLIC HEARING DATE: October 24, 2019

ITEM NO: 4

PROJECT NAME AND NUMBER: Moore Property, PB-19-86 ZON

APPLICATION TYPE: Rezoning (Quasi-Judicial)

CITY PROJECT CONTACT: Bedez E. Massey, Planner

RECOMMENDATION: Approve



Figure 1. Location Map

APPLICATION INFORMATION:

Agent/Applicant: City of Gainesville, Florida

Property Owner(s): Richard G. Moore

Related Petition(s): PB-19-85 LUC: City of Gainesville. Amend the City of Gainesville Future Land Use Map from Alachua County Heavy Industrial to City of Gainesville Industrial (IND). Generally located at 5200 SW 41st Boulevard, west of Interstate 75 and north of SW Williston Road.

Legislative History Ordinance No. 171006: An ordinance of the City of Gainesville, Florida, annexing approximately 3.85 acres of privately-owned property that is generally located at 5200 SW 41st Boulevard, west of Interstate 75 and north of SW Williston Road, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City Commission Action on October 4, 2018 – Approved (Vote: Aye-5; Absent-2)

Neighborhood Workshop(s): N/A (See Exhibit B-1)

SITE INFORMATION:

Address: Generally located at 5200 SW 41st Boulevard, west of Interstate 75 (I-75) and north of SW Williston Road

Parcel Number: 07240-026-000

Acreage: ±3.85

Existing Use: Construction Office/Warehousing/Outdoor Storage

Future Land Use Category: Alachua County Heavy Industrial

Zoning District: Alachua County Industrial Services and Manufacturing (MS)

Overlay District: None

Transportation Mobility Program Area (TMPA): Zone D (to be assigned when designated a City future land use category)

Census Tract: 22.20

Water Management District: St. Johns River Water Management District

Special Feature: Fred Bear Hammock Strategic Ecosystem

Annexed: October 4, 2018

Code Violations: There are no open cases.

PURPOSE AND DESCRIPTION:

Petition PB-19-86 ZON is a City-initiated request to rezone the subject property (see Figure 1) from Alachua County Industrial Services and Manufacturing (MS) to City of Gainesville General Industrial (I-2). Details of these zoning districts are provided with this report (see Table 1, Figures 2 and 3, and Exhibits B-2 and C-4).

The subject property is a privately-owned industrial site that was voluntarily annexed into the City of Gainesville. Precon Corporation, which occupies the subject property, is known to specialize in designing and building prestressed concrete tanks for water and wastewater storage and treatment. The primary uses on the subject property are storage buildings and outdoor equipment for construction services.

The subject property is located northwest of the Interstate 75 and SW Williston Road southbound exit ramp. Access to the subject property is from a paved driveway that is gated and connects to SW 41st Boulevard. SW 41st Boulevard is a paved, two-lane local street that runs in a northwesterly direction from SW Williston Road to SW Archer Road. The street has a swale drainage system located on both sides for stormwater management and no sidewalks.

According to State and local laws, the Alachua County land use, zoning and subdivision regulations remain in effect on annexed property until the City's Comprehensive Plan is amended (Exhibit A-1 and C-3). As a result, the City has filed a concurrent request for a small-scale amendment to the Future Land Use Map of the City's Comprehensive Plan under Petition PB-19-85 LUC.

Table 1. Proposed Zoning Change (in acres)

Zoning District	Description	Existing Acres	Proposed Acres
MS	Alachua County Industrial Services and Manufacturing (MS)	±3.85	0
I-2	City of Gainesville General Industrial (I-2)	0	±3.85
Total Acres		±3.85	±3.85

Note: The data in Table 1 was obtained from the following sources: City of Gainesville, Department of Doing, Geographic Information Systems (GIS), July 2019; Alachua County Property Appraiser's Office, July 2019; and City of Gainesville, Ordinance No.171006 (adoption date: October 4, 2018).

ADJACENT PROPERTY CHARACTERISTICS:

The north and east sides of the subject property are located adjacent to offices, warehouses and outdoor storage. The Alachua County Heavy Industrial land use designation and the Alachua County Industrial Services and Manufacturing (MS) zoning designation are applied to these properties. The south and west sides of the subject property abut vacant, wooded land. The City of Gainesville Office (O) land use category and General Office (OF) zoning designation are applied to the property on the south. The Alachua County Heavy

Industrial land use and Agricultural (A) zoning designation are applied to the property on the west. (See Table 2 and Figures 1 through 3.)

The area surrounding the subject property is serviced with solid waste collection, police and fire protection, and other public services. Although there is currently no connection between the subject property and Gainesville Regional Utilities (GRU) wastewater facilities, local utilities are available in the surrounding area. The nearest bus routes are Regional Transit System (RTS) Routes 35 and 36, which are located along SW 34th Street and SW Williston Road on the east side of Interstate 75. Environmental features in the area include the Fred Bear Hammock strategic ecosystem, which is located on the western half of the subject property and portions of adjacent properties to the north, south and west.

Table 2. Use of Adjacent Property by Future Land Use Category and Zoning District

	Existing Use(s)	Future Land Use Category	Zoning District
North	Precon Corporation / Radar of Gainesville, Inc. (warehouse/storage)	Heavy Industrial (Alachua County)	Industrial Services and Manufacturing (MS) (Alachua County)
South	Vacant	Office (O)	General Office (OF)
East	Sunshine Plumbing	Heavy Industrial (Alachua County)	Industrial Services and Manufacturing (MS) (Alachua County)
West	Vacant	Heavy Industrial (Alachua County)	Agricultural (A) (Alachua County)

Note: The data in Table 2 was obtained from the following sources: City of Gainesville, Department of Doing, Planning Division, Field Survey, 2019; City of Gainesville, Department of Doing, Geographic Information Systems (GIS), July 2019; <http://www.org/PlanningDepartment/MappingandGIS/MapLibrary.aspx>; and Alachua County, Growth Management Department, Geographic Information Systems (GIS), July 2019, <<https://growth-management.alachuacounty.us/gis>>.

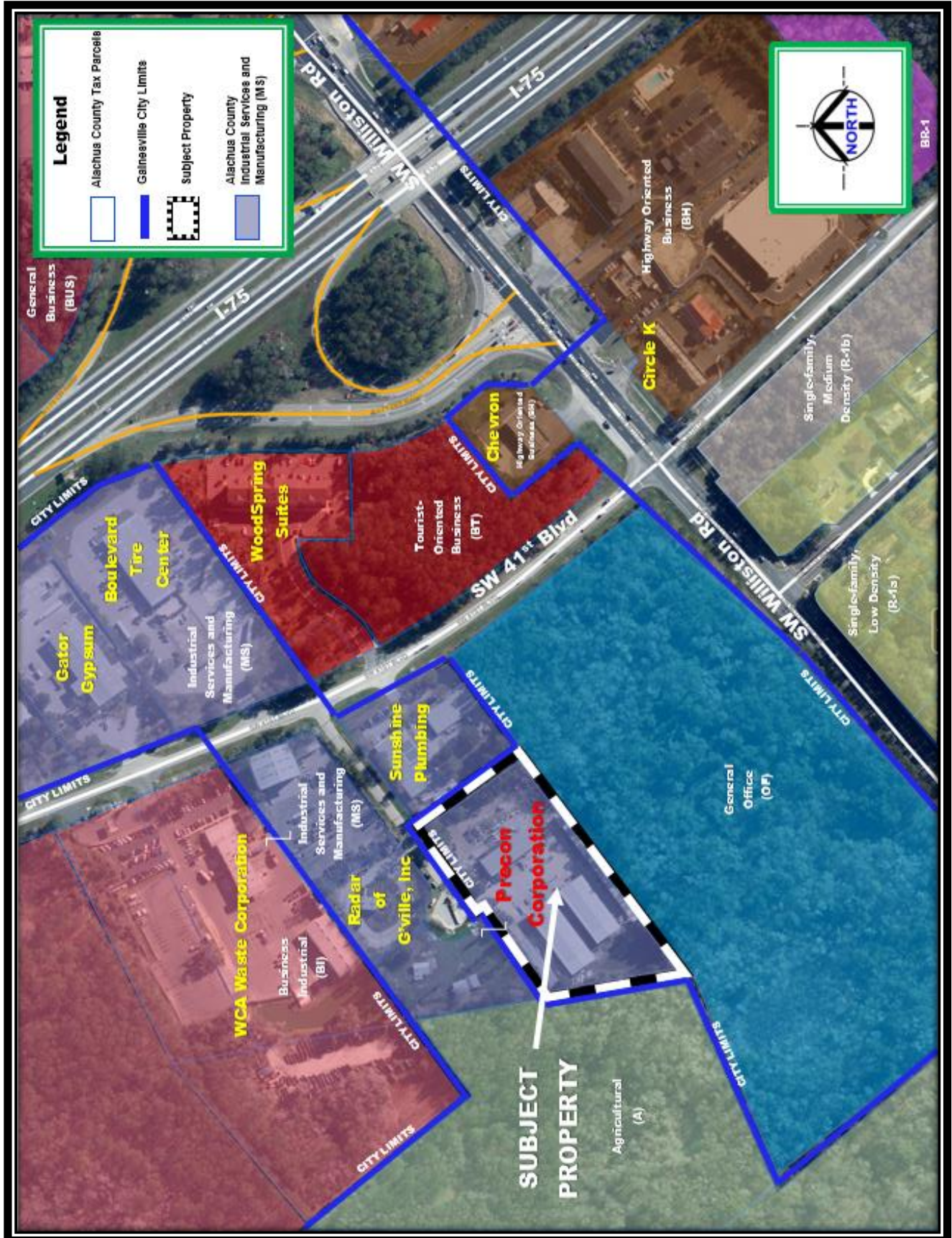


Figure 2. Existing Zoning District

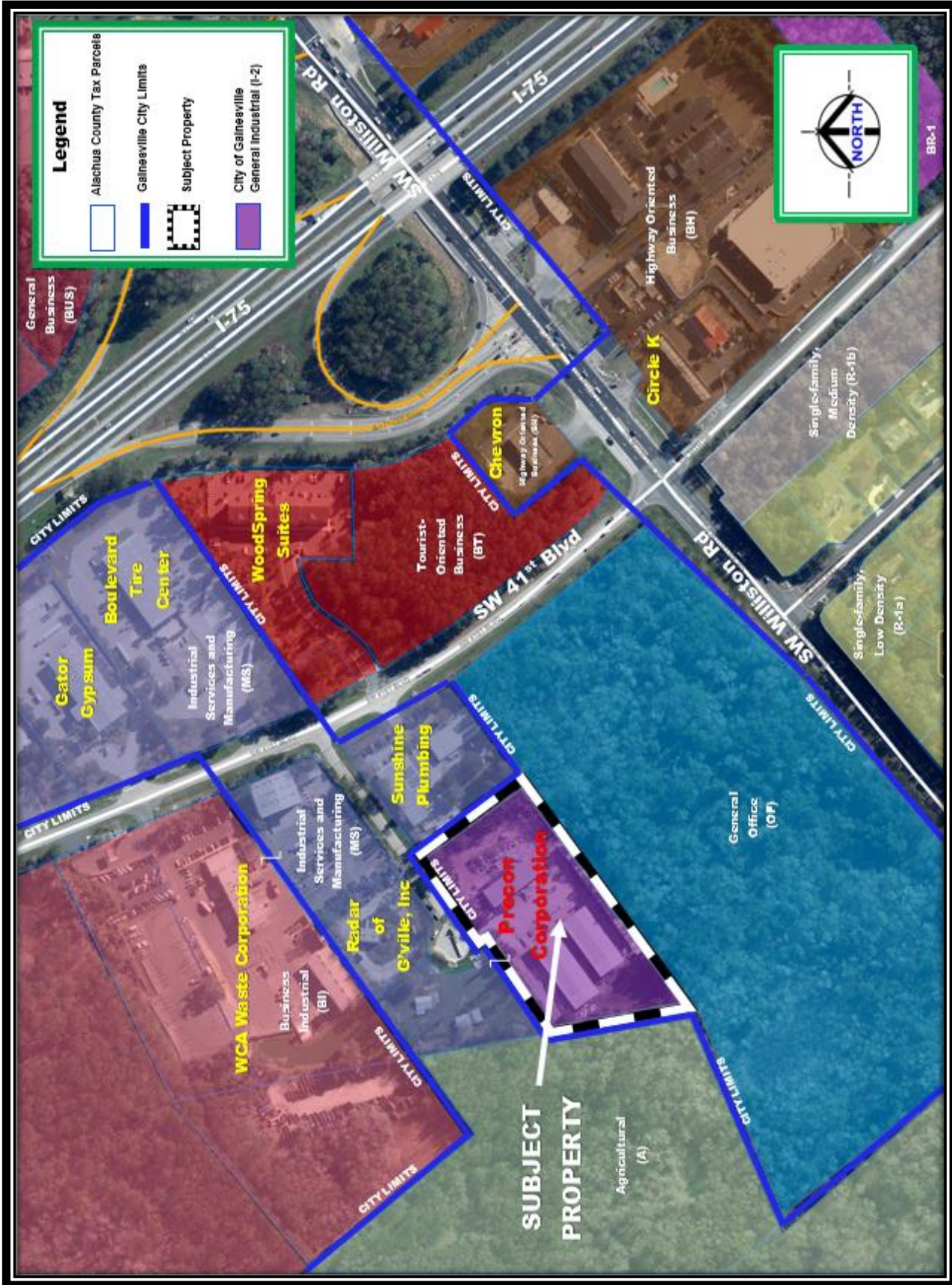


Figure 3. Proposed Zoning District

STAFF ANALYSIS AND RECOMMENDATION:

ANALYSIS

The analysis of this application is based on the following rezoning criteria, as required in Section 30-3.14 of the City Land Development Code:

A. Compatibility of permitted uses and allowed intensity and density with surrounding existing development.

The permitted uses in the proposed General Industrial (I-2) zoning district include the construction services located on the subject property. They also include the office use, warehouses and outdoor storage located on adjacent properties. Compatibility between the permitted uses and surrounding existing development is achieved through land development regulations, such as setbacks, landscaping, environmental protection, access and storm water management, and site illumination. Compatibility is also achieved through the implementation of the I-2 zoning district use standards and the City's performance standards for fire and explosion hazards; radiation; electromagnetic radiation; waste disposal; vibration; sound; heat, cold, dampness or movement of air; odor; air quality; air pollution emissions; toxics; and utility service (see Exhibits B-2 and B-3).

The intensity and density of development within the proposed General Industrial (I-2) zoning district is controlled with use limitations, along with height restrictions and setbacks. There is no maximum lot coverage, and residential intensity and density are not allowed. The five-story maximum building height in the I-2 zoning district supports the one-story buildings on the subject property, and it is consistent with the maximum building height allowed on adjacent properties in the Alachua County Industrial Services and Manufacturing (MS) and City of Gainesville General Office (OF) zoning districts. Building heights are unlimited for nonresidential structures in the Alachua County Agricultural (A) zoning district that abuts on the west. Building setbacks in these zoning districts are also comparable to the I-2 zoning district, since they require larger separations between industrial and residential land uses.

B. The character of the district and its suitability for particular uses.

The proposed General Industrial (I-2) zoning district is characterized by businesses that may involve heavy industrial activities, such as manufacturing, packaging, assembly or fabrication. It is generally placed near transportation facilities, such as major thoroughfares, railroads and airports, in order to facilitate an efficient distribution of goods and services. The I-2 zoning district is ideally located near nonresidential land uses and where extensive industrial operations can be conducted without causing adverse impacts on surrounding properties. However, where the I-2 zoning district is adjacent to residential land use, appropriate buffers and setbacks are required. Limitations on use and design standards are also enforced. The permitted uses in the I-2 zoning district are identified in *Article IV. Division 4. Mixed-Use and Nonresidential, Section 30-4.19* of the City Land Development Code (see Exhibit B-2). Variances from the requirements of this section are not allowed.

The subject property is currently used to design and build prestressed concrete tanks. Storage buildings and outdoor equipment for construction services are also located on the subject property. These activities and facilities are consistent with the character of the proposed General Industrial (I-2) zoning district, as previously described, and are permitted by right as industrial uses.

C. The proposed zoning district of the property in relation to surrounding properties and other similar properties.

As shown in Figures 1 through 3, the General Industrial (I-2) zoning district is proposed adjacent to properties that have an industrial zoning designation. These properties are used for offices, warehouses and outdoor storage, which are permitted in the I-2 zoning district. Adjacent properties in other zoning districts are vacant. No landscape buffer is required where these properties abut the I-2 zoning district.

The I-2 zoning district is also proposed adjacent to existing public facilities and services, such as roadways, utilities, fire and police protection, and solid waste collection. Major transportation facilities located near the proposed I-2 zoning district are S.W. Williston Road and Interstate 75.

D. Conservation of the value of buildings and encouraging the most appropriate use of land throughout the city.

The proposed General Industrial (I-2) zoning district will provide land development regulations, such as dimensional standards, to help guide activities necessary to conserve the value of buildings on the subject property. The I-2 zoning district will also provide design standards and a large selection of allowable uses in order to encourage the most appropriate use of the subject property.

E. The applicable portions of any current city plans and programs such as land use, traffic ways, recreation, schools, neighborhoods, stormwater management and housing.

This rezoning application has been analyzed in consideration of applicable portions of the City Land Development Code, City Comprehensive Plan and other relevant sources noted in the staff report.

F. The needs of the city for land areas for specific purposes to serve population and economic activities.

This rezoning application will increase the acreage within the proposed General Industrial (I-2) zoning district. Since the additional acreage contains an active industry that has been annexed, it will also support an increase in employment and economic activity in the City.

G. Whether there have been substantial changes in the character or development of areas in or near an area under consideration for rezoning.

The industrial character of the area immediately surrounding the subject property has remained constant over the past twenty (20) years. Recent development consists of a motel that was constructed on the east side of SW 41st Boulevard in 2010.

H. The goals, objectives, and policies of the Comprehensive Plan.

This rezoning application is consistent with the Comprehensive Plan, as stated in the finding for the following goals, objectives and policies:

Future Land Use Element

GOAL 1 IMPROVE THE QUALITY OF LIFE AND ACHIEVE A SUPERIOR, SUSTAINABLE DEVELOPMENT PATTERN IN THE CITY BY CREATING AND MAINTAINING CHOICES IN HOUSING, OFFICES, RETAIL, AND WORKPLACES, AND ENSURING THAT A PERCENTAGE OF LAND USES ARE MIXED, AND WITHIN WALKING DISTANCE OF IMPORTANT DESTINATIONS.

Finding: This rezoning application will help to maintain an existing industrial development that serves as a workplace for individuals involved in the construction of concrete storage tanks. Nearby transportation facilities include Interstate 75, SW Williston Road, and Regional Transit System (RTS) Routes 35 and 36. Other industrial, office, retail, and commercial land uses are located in the surrounding area to support a sustainable development pattern.

Objective 4.1 The City shall establish land use categories 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. Land use categories associated with transect zones are intended to encourage a more efficient and sustainable urban form by allowing a range of housing, employment, shopping and recreation choices and opportunities in a compact area of the City.

Finding: This rezoning application is for acreage currently being used for industrial purposes. The General Industrial (I-2) zoning district requires no maximum lot coverage. The subject property is proximate to SW Williston Road and Interstate 75, which are designed to accommodate the large-scale collection and distribution of goods for local businesses.

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

Industrial (IND)

The Industrial land use category identifies those areas appropriate for manufacturing, fabricating, distribution, extraction, wholesaling, warehousing, recycling, and other ancillary uses. Other uses may be allowed in this land use category as specified in an adopted ordinance rezoning property to Planned Development District (PD). 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.

Objective 4.6 The City's Land Development Code shall provide a regulating mechanism to ensure consistency between the land use categories established in this Future Land Use Element and the zoning districts established in the Land Development Code.

Finding: The proposed General Industrial (I-2) zoning district is applied to areas suitable for heavy industrial activities. The land development regulations of the I-2 zoning district will ensure consistency between the industrial land use on the subject property and Future Land Use Element, Policy 4.1.1.

Policy 3.6.1 The City's land development regulations shall require submission of soils and topographic information with any application for developments that require site plan approval or a septic tank permit. The review of development applications shall ensure that the proposed development adequately addresses the particular site conditions.

Finding: The land development regulations of the proposed General Industrial (I-2) zoning district provide for the submission of topographic and soils information as part of the submittal requirements for development plan applications. Approval of development applications is subject to compliance with all applicable regulations, as determined by the reviewing body.

Transportation Element

Objective 3.1 Establish land use designations and encourage development plans that reduce vehicle miles traveled and are transit supportive.

Finding: The General Industrial (I-2) zoning district is proposed near major transportation corridors (i.e., Interstate 75 (I-75) and SW Williston Road, which helps allowable uses reduce time and costs associated with the receipt and distribution of goods and services. Regional Transit System (RTS) Routes 35 and 36 are located along SW 34th Street and SW Williston Road on the east side of I-75.

Conservation Element

GOAL 2 MITIGATE THE EFFECTS OF GROWTH AND DEVELOPMENT ON ENVIRONMENTAL RESOURCES.

Policy 2.4.8 The City shall coordinate with Alachua County, the U.S. Fish & Wildlife Service, the Florida Fish & Wildlife Conservation Commission, and the Florida Natural Areas Inventory to conserve environmentally significant natural communities. Such coordination may include the submittal of relevant land development proposals to these entities for comment and recommendation.

Finding: The subject property is partially located within the Fred Bear Hammock strategic ecosystem. Therefore, development on the subject property must be reviewed in consideration of the natural resource regulations of the General Industrial (I-2) zoning district that are designed to protect strategic ecosystems.

I. The facts, testimony, and reports presented at public hearings.

No other facts, testimony or reports regarding this application, or the companion small-scale land use amendment application, have been presented at a public hearing. According to *Section 30-3.7. Neighborhood Workshop.* of the City Land Development Code (see Exhibit B-1), City-initiated amendments to the zoning map that change the zoning from Alachua County to City of Gainesville districts, and City-initiated amendments to the Future Land Use Map of the City's Comprehensive Plan that change the future land use from Alachua County to City of Gainesville categories are exempt from having to conduct neighborhood workshops.

J. Applications to rezone to a transect zone shall meet the following additional criteria:

Not Applicable.

RECOMMENDATION

Staff recommends approval of Petition PB-19-86 ZON based on a finding of compliance with all applicable review criteria. (See Exhibit C-5.)

DRAFT MOTION FOR CONSIDERATION

I move to recommend approval of Petition PB-19-86 ZON based on a finding of compliance with all applicable review criteria.

BACKGROUND:

The subject property was voluntarily annexed into the City of Gainesville by Ordinance No. 171006 (see Exhibit C-2), which was adopted October 4, 2018 on second reading. Since this time, the Alachua County land use and zoning regulations have remained in effect on the subject property.

POST-APPROVAL REQUIREMENTS:

The City Planning Staff must forward the City Plan Board recommendation to a City Commission public hearing, where it will be considered for further action.

LIST OF APPENDICES:

Appendix A Comprehensive Plan Goals, Objectives and Policies

Exhibit A-1: Future Land Use Element, Objective 4.4

Appendix B City Land Development Code

Exhibit B-1: Article III. Section 30-3.7. Neighborhood Workshop

Exhibit B-2: Article IV. Division 4. Mixed-Use and Nonresidential, Section 30-4.19

Exhibit B-3: Article VIII. Section 30-8.2. General Environmental Performance Standards

Appendix C Supplemental Documents

Exhibit C-1: Application

Exhibit C-2: City Ordinance No. 171006

Exhibit C-3: Subsection 171.062(2), Florida Statutes

Exhibit C-4: Alachua County Unified Land Development Code, Article 5. Industrial
Districts

Exhibit C-5: Staff Review Status

Exhibit C-6: Moore Property Photos