

**LEGISLATIVE #**

**110109B**



## **Description**

This proposed rezoning from Alachua County Highway oriented business services district (BH) and Administrative and Professional district (AP) to City of Gainesville General business district (BUS), pertains to an approximately 27.8-acre property that was voluntarily annexed into the City on April 15, 2010. The property is located east of Tower Road (Northwest 75<sup>th</sup> Street), west of Interstate 75, north of West University Avenue, and is in the general vicinity of the 7200 – 7300 blocks of Northwest 4<sup>th</sup> Boulevard (see map on Page 1, and aerial photo in Appendix B, Exhibit B-1). This developed property includes the 65,000 square-foot, commercial (retail) Tower Center that was built in 1989 and that is adjacent to and west of the previously annexed Home Depot store, and a very large stormwater retention pond to the north across NW 4<sup>th</sup> Boulevard. The existing and proposed zoning maps are in Appendix B, Exhibits B-2 and B-3, respectively.

The proposed rezoning is appropriate for the property's established and continuing use as a commercial center close to the major arterial roadways of State Road 26 (Newberry Road), Northwest 75<sup>th</sup> Street (Tower Road), and Interstate 75.

This petition is related to Petition PB-11-47 LUC, which is a request for a large-scale land use amendment from Alachua County Commercial to City of Gainesville Commercial.

## **Key Issues**

- The proposed rezoning is necessary to bring the annexed property under the City's zoning regulations.
- This proposed rezoning to General business district (BUS) is consistent with the related, proposed land use amendment to Commercial, and with the City's Comprehensive Plan, and is appropriate for this developed, commercial center.

## **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 change from Alachua County Highway oriented business services district (BH) and Administrative and Professional district (AP) to City of Gainesville General business district (BUS) is consistent with the City of Gainesville Comprehensive Plan. BUS is an appropriate zoning district for this developed, retail center. The requested General business district (BUS) zoning is wholly consistent with the Commercial land use that is proposed by related Petition PB-11-47 LUC.

See Appendix A for the Commercial future land use category and other applicable policies in the City's Comprehensive Plan.

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

The proposed General business district (BUS) zoning for this developed, commercial property is consistent with the City's Land Development Code. Gainesville Regional Utilities provides potable water and wastewater service to this property. Any proposed additional development or redevelopment must meet all applicable provisions of the Land Development Code, including but not limited to, setback, building height, access management, and potable water and wastewater level of service requirements. Gainesville Regional Utilities provides potable water and wastewater service to this property. No special area plans or overlay districts apply to this property. The property is subject to the City's sign ordinance and noise ordinance. A copy of the BUS zoning district regulations is in Appendix B, Exhibit B-4.

## **3. Changed Conditions**

The changed condition pertinent to this proposal is the voluntary annexation of this property into the City of Gainesville on April 15, 2010.

## **4. Compatibility**

This developed, commercial property is adjacent on the north to a tire store (and automotive service center), car wash, motels and Interstate 75 entrance and exit ramps. To its west are a bank, auto parts store, and a veterinary hospital on the east side of Tower Road. To its east are a large home improvements store (Home Depot), business/technical college (City College), computer learning center (New Horizons), beauty school (Salon Professional Academy), motel (Marriot Fairfield Inn), self-storage facility, professional offices, and various retail uses. South of the property are professional offices.

See Table 1 at the end of this document for a tabular summary of adjacent existing uses and adjacent zoning and land use categories.

The proposed General business district (BUS) zoning (and Commercial land use) is compatible with the City of Gainesville BUS zoning (and Commercial land use) to the east. It is also compatible with the Alachua County Highway oriented business services (BH), Retail sales and services (BR), and Wholesale and warehousing (BW) zoning district(s) (and Commercial land use) farther to the east.

The proposed land use and zoning and land use are compatible with the County's Administrative and professional (AP), and Tourist/Entertainment (and Highway oriented business services (BH) zoning (and Commercial land use) to the north. The proposed land use and zoning are also compatible with the County's Highway oriented business services (BH), and Retail sales and services (BR) zoning (and Commercial land use), and Administrative and professional (AP) zoning (and Office land use) to the west. The proposed zoning and land use are also compatible with the County's Retail sales and services (BR) zoning (and Commercial land use) to the south.

## **5. Impacts on Affordable Housing**

The proposed zoning change for this non-residential property will have no impact on the supply of affordable housing in Gainesville.

### **Transportation**

This proposed rezoning entails no major transportation issues. The property is accessible by automobile and transit from Tower Road (Northwest 75<sup>th</sup> Street), Northwest 4<sup>th</sup> Boulevard, and West University Avenue. There are sidewalks on both sides of Tower Road, there is a sidewalk on the south side of West University Avenue, but there are no sidewalks on Northwest 4<sup>th</sup> Boulevard.

The adjacent segment of Tower Road has an adopted, roadway Level of Service (LOS "D") and is operating at LOS "D" (source: MTPO Year 2009 Annual Average Daily Traffic Multimodal Level of Service Report: Level of Service Tables, January, 2011). Related, concurrent Petition PB-11-36 LUC proposes amendment of the TCEA maps in the Comprehensive Plan to include this property within the TCEA (Transportation Concurrence Management Area), Zone D.

Transit service is provided along Tower Road, Northwest 4th Boulevard and West University Avenue by RTS Route 75. This bus route provides service between the Oaks Mall and Butler Plaza Monday through Friday at 35-minute intervals in peak hours, and at 52-and 53-minute intervals during off-peak hours. Saturday service is provided at 90-minute intervals.

### **Environmental Impacts and Constraints**

There are no major environmental impacts and constraints associated with this petition that pertains to developed, commercial property. The property is located in FEMA Flood Zone X, outside of the 100-500-year floodplain, and in FEMA Flood Zone A (100-year flooding, no Base Flood Elevations established). The Tower Center development is located in Flood Zone X (except for a very small area in its southwestern corner, which is in Zone A). The very large, contained, stormwater retention basin to the north of Northwest 4<sup>th</sup> Boulevard is in Flood Zone A. Development is allowed in Zone A, but it is subject to the specific standards for floodplain areas (Section 30-291 of the Land Development Code). These standards apply to new construction and substantial improvement of structures, and include elevation of the lowest finished floor to one foot above the base flood elevation.

Petition PB-11-48 ZON  
April 28, 2011

Respectfully submitted,



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**Table 1**

**Adjacent Existing Uses**

<b>North</b>	Tire store, car wash, motels, I-75
<b>South</b>	Professional offices
<b>East</b>	Home Depot, business/technical college, computer learning center, beauty school, motel, self-storage facility, retail, professional offices
<b>West</b>	Bank, auto parts store, veterinary hospital

**Adjacent Zoning and Land Use**

	<b>Zoning Category</b>	<b>Land Use Category</b>
<b>North</b>	Alachua County Administrative and professional (AP) district; Highway oriented business services (BH) district	Alachua County: Commercial; Tourist/Entertainment
<b>South</b>	Alachua County: Retail sales and services (BR) district	Alachua County: Commercial
<b>East</b>	City of Gainesville General business district (BUS), Alachua County: Highway oriented business services (BH) district; Retail sales and services (BR) district; Wholesale and warehousing (BW) district	City of Gainesville Commercial, Alachua County Commercial
<b>West</b>	Alachua County: Highway oriented business services (BH) district; Retail sales and services (BR) district; Administrative and professional (AP) district	Alachua County: Commercial; Office

## **List of Appendices**

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

Exhibit A-1 Future Land Use Element

### **Appendix B Supplemental Documents**

Exhibit B-1 Aerial Photograph

Exhibit B-2 Map: Existing Zoning

Exhibit B-3 Map: Proposed Zoning

Exhibit B-4 General business district (BUS), Sec. 30-61

### **Appendix C Application**

Exhibit C-1 Application