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Title: GRU Deerhaven Properties - Proposed Land Use Change Application (B)

This item involves a request for the City Commission to discuss a proposed land use change application for city owned properties surrounding the GRU Deerhaven Generating Station. According to Comprehensive Plan Future Land Use Element Policy 4.4.1, an appropriate city future land use designation must be assigned to all properties that are annexed into the City of Gainesville. The approximately 2,300(+/-) acre subject property was annexed in February 2007. GRU staff proposes a change in the future land use change designation from Alachua County 'Rural/Agriculture' to City of Gainesville 'Public Facilities' (see exhibit A). The item provides an opportunity for GRU staff to receive feedback and direction from the City Commission regarding this issue.

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Attachments: 1. 080813_exhibita_20090219.pdf, 2. 080813_Exhibit B_20090219.pdf, 3. 080813_Exhibit C_20090219.pdf, 4. 080813_Exhibit D_20090219.pdf, 5. 080813_Deerhaven_ppt_20090219.pdf

Date	Ver.	Action By	Action	Result
2/19/2009	0	City Commission	Approved as Amended	Pass

GRU Deerhaven Properties - Proposed Land Use Change Application (B)

This item involves a request for the City Commission to discuss a proposed land use change application for city owned properties surrounding the GRU Deerhaven Generating Station. According to Comprehensive Plan Future Land Use Element Policy 4.4.1, an appropriate city future land use designation must be assigned to all properties that are annexed into the City of Gainesville. The approximately 2,300(+/-) acre subject property was annexed in February 2007. GRU staff proposes a change in the future land use change designation from Alachua County 'Rural/Agriculture' to City of Gainesville 'Public Facilities' (see exhibit A). The item provides an opportunity for GRU staff to receive feedback and direction from the City Commission regarding this issue.

The subject property encompasses approximately 2,300(+/-) acres and was purchased by the City of Gainesville incrementally in 2001, 2002, 2003 and 2005 (see Exhibits A and B). Currently, the property has an Alachua County future land use designation of 'Rural/Agriculture.' In February 2007, the property was annexed into the City of Gainesville. As required by the City, subsequent to the annexation of a property, an appropriate City future land use designation must be applied to the property. As this property may be developed in the future as an expansion area for the Deerhaven Generating Station, GRU staff is of the opinion that the appropriate future land use designation for the property is 'Public Facilities,' which is identified in the City of Gainesville Comprehensive Plan as the appropriate designation for utility facilities and associated activities. In addition, the current power plant site contains the same 'Public Facilities' designation.

In February 2008, GRU submitted an application to the City Planning Department to change the future land use designation for the subject property from Alachua County 'Rural/Agriculture' to City of Gainesville 'Public

Facilities' and 'Conservation.' The proposed future land use designation is the same as what is currently applied to the existing Deerhaven Generating Station and the purpose of this change is to bring the property into an appropriate City future land use designation which will allow for expansion of GRU facilities in the future. Specifically, the majority of the property would be given a Public Facilities designation and a 100-foot wide buffer strip of Conservation land use would be applied along the eastern property line. In addition, GRU representatives held a neighborhood meeting to inform neighboring property owners of the proposed land use change application.

Planning staff has indicated that they would prefer that the application contain more specificity, particularly regarding a more specific list of future development activities and a plan to identify and address the on-site wetland areas. In response, GRU retained Ecosystem Research Corporation to prepare an environmental assessment (completed March 2008) to delineate and describe the upland and wetland habitat types and land use, and a general evaluation of threatened and endangered animal species. The report revealed that the previous property owners have planted and harvested pine timber since the early 1900's on-site and the area is currently actively managed for timber and is in planted pines. Therefore, the past and current silvicultural activities have altered the entire site from its historical habitat. It should also be noted that Plum Creek Timberlands still owns timber rights on the subject property that would allow them to harvest timber in the future. In addition, approximately 947 acres of wetlands exist on the subject property. The environmental assessment categorizes the wetlands into several categories, based on size and quality.

Following the preparation of the environmental assessment, GRU staff and consultants met with City planning staff in July 2008 to present to City planning staff a revised land use change application, with the intent to address the City staff's concerns. The summary of the proposal is included in the recommendation section of this agenda item.

GRU representatives believe that the revised land use change application strikes a balance between establishing appropriate environmental protection measures and doing so in a cost effective manner given the status of the timber rights and need for flexibility in future planning. The proposed land use change will set aside the highest quality wetlands (approximately 30% of the 2,300(+/-) acre subject property) and prohibit any future development activities within this area. It should be noted that timber rights do exist that could impact these areas. The remaining wetlands will be governed by the existing City Land Development Regulations regarding wetland protection and potential mitigation. This set aside is a level of protection above and beyond what is typically seen at the land use change application stage.

City planning staff suggested that this plan should be presented to the City Commission for review and comment prior to the re-submittal of this application. This approach will allow staff to receive feedback from the Commission prior to the significant task of preparing the revised application materials.

The City Commission; 1) Receive a report regarding the proposed land use change application by GRU staff and representatives, 2) Authorize the General Manager, or designee, to initiate a petition on behalf of the City Commission to change the future land use designation on the approximately 2,300(+/-) acre subject property from Alachua County 'Rural/Agriculture' to City of Gainesville 'Public Facilities' with the addition of the following specific regulations for future site development to be implemented in the Comprehensive Plan: A) Request a Public Facilities future land use designation for the entire 2,300(+/-) acre property as shown in Exhibits A and B; B) Set aside highest quality wetlands, identified as 'Wetlands Type 1, 2, 3 & 4' in the report prepared by Ecosystem Research Corporation (ERC) dated May 15, 2008. This area constitutes approximately 30% (708(+/-) acres) of the entire property and will be removed from any future development area (with the exception of existing roadways if deemed necessary for ingress/egress). The ERC delineation map will be included as an exhibit to the land use change ordinance (see Exhibits C and D); C) Future development activities may occur in 'Wetland Type 5' as identified in the ERC report but will be proposed in full compliance with all applicable wetland regulations outlined

in the City LDR's; D)The actual delineation and surveying of these wetlands would be provided at the rezoning stage; E) The list of permitted uses will be general in nature as described in the Comprehensive Plan under Public Facilities. As stated in Future Land Use Element Policy 4.1.1, these uses include 'administrative and operational governmental functions such as government offices, utility facilities and storage facilities'. Activities in this area may include solar and eco-development projects; F) Upon the approval of the land use change, GRU will submit a rezoning application to 'Public Services' (PS) within 10 years of the approval. The zoning will include a detailed plan regarding proposed type, location and intensity of on-site development. No development activity shall occur on the subject property until such time as the PS zoning is approved by the City Commission; G) Site specific text will be included in the Comprehensive Plan to govern the future development of the property and will incorporate the provisions listed above. This text would also state that a 100-foot wide natural and/or planted buffer shall exist along the common property line between the proposed development to the east and the subject property. The proposed land use change application will provide a more cost-effective approach that achieves the goals of GRU for future facility expansion and also addresses the issues regarding environmental protection. The unnecessary task of delineating and designating on-site wetland areas with a Conservation future land use designation would require the City of Gainesville to purchase the timber rights currently held by Plum Creek Timberlands. The estimated cost to purchase the timber rights on this property is approximately \$1.7 million. In addition, delaying the wetland delineation and surveying for the property until the zoning or development review stage will save at least \$250,000 in consultant costs.

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