

RESOLUTION Z-19-10

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA TO REZONE FROM THE R-1A DISTRICT (RESIDENTIAL, 1 TO 4 DWELLING UNITS/ACRE) TO THE R-2 DISTRICT (RESIDENTIAL, 4 TO 8 DWELLING UNITS/ACRE) WITH A FUTURE LAND USE DESIGNATION OF MEDIUM DENSITY RESIDENTIAL (GREATER THAN 4, UP TO 8 DWELLING UNITS/ACRE) ON TAX PARCEL NUMBER 06183-000-000, ON APPROXIMATELY 9.15 ACRES LOCATED AT THE SOUTHWEST INTERSECTION OF NW 39TH AVE AND NW 63RD ST.

WHEREAS, Zoning Application ZOM-11-19, a request to rezone from the R-1a (residential, 1 to 4 dwelling units/acre) to R-2 (residential, 4 to 8 dwelling units/acre) has been duly filed and was considered by the Alachua County Planning Commission at its regular meeting of September 18, 2019, and;

WHEREAS, the Alachua County Board of County Commissioners considered this zoning item at its regular meeting of November 12, 2019;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

Zoning Application ZOM-11-19, a request by Clay Sweger of eda, inc., agents, for Diocese of St. Augustine, owners, to rezone from the R-1a district to the R-2 district, located at the intersection of NW 39th Ave. and NW 63rd St. on Tax Parcel Number 06183-000-000, as summarized in the attached exhibit, is hereby approved with the following bases:

Bases

1. The proposed rezoning will resolve an inconsistency that exists on the site between the land use category of Medium Density Residential (greater than 4, up to 8 dwelling units/acre) and zoning of R-1a (1 to 4 dwelling units/acre). The R-2 zoning district implements the Medium Density Residential land use as mentioned in **Section 403.08 of the Unified Land Development Code**.
2. **Policy 1.3.8.4 of the Future Land Use Element** states “Medium density residential areas shall be located in the urban cluster.” The site is located in the urban cluster along NW 39th Ave. The proposed rezoning to R-2 (4 to 8 dwelling units/acre) is consistent with this policy.
3. **Policy 7.1.2 of the Future Land Use Element** provides criteria to consider for proposed changes to the zoning map. This application is consistent with the criteria of the policy. The rezoning will implement the underlying land use of Medium Density Residential. The site is located in the Urban Cluster and on a major arterial road (NW 39th Ave.) and is compatible with medium density residential uses. Potable water and sanitary sewer lines are available to serve future development at this site. Transportation impacts will be handled through the Multi-modal transportation mitigation (MMTM) program.
4. **Section 402.77 of the Unified Land Development Code** provides criteria and standards for rezoning applications. The criteria include consistency, compatibility, development patterns, suitability, adequate public services and access. The proposed rezoning meets the criteria and standards of this section. The rezoning is

consistent with the underlying land use of Medium Density Residential (greater than 4, up to 8 dwelling units/acre). The site is compatible with medium density residential uses as it fronts a major arterial road (NW 39th Ave.) and is located within the Urban Cluster. The site is additionally compatible due to the similarity of intensity of medium density residential to neighboring land uses and development patterns. Development patterns are marked by low and medium density residential uses along NW 39th Ave. with Institutional uses interspersed, leading to the Park Avenue TND and the Springhills Activity Center and I-75 intersection. The site is suitable for medium density residential uses and will be required to make improvements to the existing road network to accommodate additional residents. Adequate public services exist to serve the site. A secondary access point will be required to connect to the stubout from the adjacent skilled nursing facility planned development. Staff have not identified any public health, safety or welfare issues that would result from the approval of this rezoning request.

DULY ADOPTED in regular session this 12th day in November, A.D., 2019.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By: _____

Chair

ATTEST:

Jesse K. Irby, II, Clerk

APPROVED AS TO FORM

(SEAL)

Alachua County Attorney

DEPARTMENT APPROVAL

AS TO CORRECTNESS



Department of Growth Management

Authorized Designee

EXHIBIT A

Legal Description

Per Boundary Survey Prepared by McMillan Surveying

Lot three (3), Rutledge Subdivision, as per plat thereof recorded in Plat Book "A", Page 21 of the Public Records of Alachua County, Florida LESS the North 50 feet for right-of-way, as per Official Records Book 95, Page 18; all lying and being in Section 28, Township 9 south, Range 19 East, Alachua County, Florida.

Figure 1: Image of Legal Description