



# Alachua County – Growth Management Staff Report

## Application ZOM-09-19

**Staff Contact:** Gerald L. Brewington

**Staff Phone Number:** 352-374-5249 ext. 2220

**Planning Commission Hearing Date:** October 16, 2019

**Board of County Commissioners Hearing Date:** December 10, 2019

### Project Timeline

- Submitted: July 29, 2019
- Staff Report Distributed: October 11, 2019
- Planning Commission: October 16, 2019
- BoCC Hearing: December 10, 2019

### Requested Action

A request by CHW, Inc., agent, for F.M. and Gail Sheffield, owners, to rezone from MP (Manufacturing and Processing) district to BW (Business Warehouse) district on approximately 2.7 acres located at 6421 SW Archer Road on parcel 06899-000-000.

**Applicant/Agent:** CHW, Inc.

### Staff Recommendation

Staff recommends that the Commission adopt the proposed rezoning request (Resolution Z-19-11) with the bases as noted in the staff report

## **Background**

The parcel that is the subject of this rezoning request (06899-000-000) is associated with a separate small scale land use amendment also before the Board (CPA-04-19). That request, if adopted, would amend the land use on this parcel from Heavy to Light Industrial. The Light Industrial land use designation is generally implemented in the Unified Land Development Code (ULDC) through the ML (Light Industrial) district. However, it can also be implemented via the BW (Wholesale and Warehousing) district as needed. The ML district is oriented more toward warehouse and certain office uses as well as research facilities and even light manufacturing (with limited impacts to surrounding development). On the other hand, the BW district, while also supporting warehouse/distribution-type uses, can also implement select Commercial policies found in the Plan. The BW district is therefore, in essence, a hybrid district that can be called upon to implement a variety of policies and land use designations within the Plan.

The BW and ML districts are closely associated in the ULDC (they are listed side-by-side in the use table found in Chapter 404). An examination of the use table shows that many of the permitted uses (or special exceptions and special use permits) are the same. Where these districts diverge is in the uses found under the 'Commercial' section of the use table. Here, the BW district is far more permissive, allowing a variety of commercial-type uses not usually associated with the ML district. These include restaurants (both sit down and drive through), cocktail lounges and even outdoor recreation. As straight zoning requests cannot be conditioned, the Board would be giving tacit approval to these uses being located at this site in their adoption of the BW zoning designation.



**Figure 1 – Aerial View of the Subject Parcel**

## Comprehensive Plan Consistency

The following comments and analysis are based on the understanding the CPA-04-19 has been adopted by the Board prior to hearing this item in their quasi-judicial proceedings. The Industrial policies in the Plan are located in Section 4.0 of the Future Land Use Element (FLUE). These policies broadly define the nature of industrial uses in general and provide criteria for both location of these uses as well as compatibility with surrounding development.



**Figure 2 – Map Showing Zoning Request**

As shown on the zoning map, surrounding zoning districts are primarily MP and MS, which implement the Heavy Industrial land use designation. However, there are a number of Commercial districts in the area as well. These include BP (Business Professional) where the Sun State Bank is located, BR (Business Retail Sales) to the west where a Dollar General is located and BR north across Archer Road where a number of retail uses including a spa and restaurant are located. These commercial nodes are the result either of land use designations dating from the inception of the Plan in 1991 (as a result of existing retail uses on the site) or, in the case of the Sun State Bank property, by later Board actions to amend the land use.

As stated previously, the introduction of a BW in this area could introduce uses that, while permitted in the BW district, are not frequently found in the industrial land use categories. However, when seen in the wider context of surrounding development, it is can also be said that such uses would not be inconsistent with surrounding commercial uses.

## **Staff Analysis**

The requested BW zoning will have no adverse impacts to level of service (LOS) standards identified in the Capital Improvements Element of the Plan. The proposed request is non-residential in nature and thus will have no impact on school or recreation LOS standards. The transition from Heavy to Light Industrial, if adopted, will not result in additional development impacts as related to transportation, waste water, solid waste, fire services or mass transit beyond those already permitted at the site under the existing Heavy Industrial land use designation.

**Policy 4.2.1** of the Future Land Use Element (FLUE) states that *industrial uses shall not be located adjacent to residential or agricultural areas without adequate buffering or integrating design and business practices to eliminate or minimize adverse impacts*. The proposed location is located on the south side of SR 24/Archer Road and is surrounded on three sides by properties with a Heavy Industrial land use designation. Archer Road is located to the north. The proposed BW zoning district will not create adverse impacts for these uses and there is no residential development adjacent to this site (the nearest residential development is Arredondo Mobile Home Park located west of this property approximately ¼ mile away).

**Policy 7.2.1** of the FLUE states that *proposed changes in the zoning map shall consider:*

- a. consistency with the goals, objectives, policies and adopted maps of the Comprehensive Plan*

The proposed rezoning is consistent with the goals, objectives, policies and adopted maps of the Comprehensive Plan. The site is located in an area designated Light Industrial on the Future Land Use Map. The BW zoning district implements the Light Industrial land use designation.

- b. the availability and capacity of public facilities required to serve the development. When considering a rezoning, this includes availability and capacity of existing public facilities and timing of future facilities based on capital plans. Specific determinations for any exceptions to the requirement to connect to a centralized potable water and sanitary sewer system will be made at the stage of development plan review, as detailed in Policy 2.1 of the Potable Water and Sanitary Sewer Element.*

The site is located in the Urban Cluster and will be served by a centralized potable water and sanitary sewer system. This rezoning is not expected to result in significant impacts to the transportation network. The applicant will be required to provide MMTM mitigation per requirements for non-residential development.

- c. the relationship of the proposed development to existing development in the vicinity and considerations relating to environmental justice and redevelopment opportunities.*

Existing development in the vicinity consists of primarily of industrial uses (such as warehouses and storage facilities as well as some limited commercial uses including retail, restaurants, financial institutions as well as office development. The proposed BW zoning will introduce similar types of development if approved.

- d. those factors identified by law, including that as a general matter an applicant is not entitled to a particular density or intensity within the range of densities and intensities*

*permitted by the Comprehensive Plan, given due consideration of legitimate public purposes relating to health, safety, and welfare.*

This request is to rezone from MP (which implements the present Heavy Industrial land use designation) district to the BW district (if the land use amendment on application CPA-04-19 is approved). The rezoning does not entitle the applicant to any particular intensity within the range of uses permitted.

**Sec. 402.77** of the ULDC states that *when considering any application for rezoning, the standards and criteria listed below shall apply:*

- (a) *Consistency.*
- (b) *Compatibility.*
- (c) *Development patterns.*
- (d) *Suitability.*
- (e) *Adequate public services.*
- (f) *Access.*
- (g) *Public health, safety, and welfare.*

The proposed rezoning to BW will allow for industrial uses that are consistent with the Light Industrial future land use designation for this parcel. The proposed zoning is compatible with surrounding zoning districts and uses along the Archer Road corridor. The area around the subject parcel contains a variety of uses including a bank facility (located to the east), retail (north across Archer Road) as well as industrial and office uses immediately adjacent to the site. The permitted uses within the BW district (including warehouse uses, light industrial uses and certain commercial uses) are therefore compatible with surrounding development types already in the area. The site has direct access onto the eastbound lane of Archer Road, a major arterial corridor. Adequate public services are available to serve potential uses allowed in the BW zoning district and no level of service standards as identified in the Comprehensive Plan will be negatively impacted by approval of this request. There are no negative impacts to public health, safety or welfare that would occur as a result of this rezoning.

**Section 403.14** of the ULDC states that *the BW district implements the warehouse/distribution, **light industrial** and, in some cases, commercial policies of the Comprehensive Plan and the associated land use designations on the future land use map.* Application CPA-04-19, if adopted by the Board, would provide a Light Industrial land use classification for this parcel. The adoption of a BW district on this site would therefore implement the Light Industrial future land use designation.

### **Effect of the Proposed Amendments on Affordable Housing**

The proposed zoning change deals with non-residential development and will have no impact on the initial cost of housing, the long term cost of home ownership nor will there be any fiscal impacts to Alachua County or its taxpayers.



## **Staff Recommendation**

Staff recommends that the requested zoning change from MP to BW be adopted as proposed with the bases cited below:

1. The requested BW zoning will have no adverse impacts to level of service (LOS) standards identified in the Capital Improvements Element of the Plan. The proposed request is non-residential in nature and thus will have no impact on school or recreation LOS standards. The transition from Heavy to Light Industrial, if adopted, will not result in additional development impacts as related to transportation, waste water, solid waste, fire services or mass transit beyond those already permitted at the site under the existing Heavy Industrial land use designation.
2. **Policy 4.2.1** of the Future Land Use Element (FLUE) states that *industrial uses shall not be located adjacent to residential or agricultural areas without adequate buffering or integrating design and business practices to eliminate or minimize adverse impacts*. The proposed location is located on the south side of SR 24/Archer Road and is surrounded on three sides by properties with a Heavy Industrial land use designation. Archer Road is located to the north. The proposed BW zoning district will not create adverse impacts for these uses and there is no residential development adjacent to this site (the nearest residential development is Arredondo Mobile Home Park located west of this property approximately ¼ mile away).
3. **Policy 7.2.1** of the FLUE states that *proposed changes in the zoning map shall consider:*

*a. consistency with the goals, objectives, policies and adopted maps of the Comprehensive Plan*

The proposed rezoning is consistent with the goals, objectives, policies and adopted maps of the Comprehensive Plan. The site is located in an area designated Light Industrial on the Future Land Use Map. The BW zoning district implements the Light Industrial land use designation.

*b. the availability and capacity of public facilities required to serve the development. When considering a rezoning, this includes availability and capacity of existing public facilities and timing of future facilities based on capital plans. Specific determinations for any exceptions to the requirement to connect to a centralized potable water and sanitary sewer system will be made at the stage of development plan review, as detailed in Policy 2.1 of the Potable Water and Sanitary Sewer Element.*

The site is located in the Urban Cluster and will be served by a centralized potable water and sanitary sewer system. This rezoning is not expected to result in significant impacts to the transportation network. The applicant will be required to provide MMTM mitigation per requirements for non-residential development.

*c. the relationship of the proposed development to existing development in the vicinity and considerations relating to environmental justice and redevelopment opportunities.*

Existing development in the vicinity consists of primarily of industrial uses (such as warehouses and storage facilities as well as some limited commercial uses including retail, restaurants, financial institutions as well as office development. The proposed BW zoning will introduce similar types of development if approved.

- d. *those factors identified by law, including that as a general matter an applicant is not entitled to a particular density or intensity within the range of densities and intensities permitted by the Comprehensive Plan, given due consideration of legitimate public purposes relating to health, safety, and welfare.*

This request is to rezone from MP (which implements the present Heavy Industrial land use designation) district to the BW district (if the land use amendment on application CPA-04-19 is approved). The rezoning does not entitle the applicant to any particular intensity within the range of uses permitted.

4. **Sec. 402.77** of the ULDC states that *when considering any application for rezoning, the standards and criteria listed below shall apply:*

- (a) *Consistency.*
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- (c) *Development patterns.*
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- (f) *Access.*
- (g) *Public health, safety, and welfare.*

The proposed rezoning to BW will allow for industrial uses that are consistent with the Light Industrial future land use designation for this parcel. The proposed zoning is compatible with surrounding zoning districts along the Archer Road corridor. The site has direct access onto the eastbound lane of Archer Road. Adequate public services are available to serve potential uses allowed in the BW zoning district. There are no negative impacts to public health, safety or welfare that would occur as a result of this rezoning.

5. **Section 403.14** of the ULDC states that *the BW district implements the warehouse/distribution, light industrial and, in some cases, commercial policies of the Comprehensive Plan and the associated land use designations on the future land use map.* Application CPA-04-19, if adopted by the Board, would provide a Light Industrial land use classification for this parcel. The adoption of a BW district on this site would therefore implement the Light Industrial future land use designation.

## **Staff and Agency Comments**

**Department of Public Works:** No comments

**Department of Environmental Protection:** The property currently contains a single-family residence with associated infrastructure and an abandoned landscape plant nursery. There are no conservation resources present.

**Transportation Planning:** No comments