



Alachua County – Growth Management Staff Report

Application ZOM-04-20

Application Details

Staff Contact

Mehdi J. Benkhatar

Staff Phone Number

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Planning Commission Hearing Date

September 16, 2020

Board of County Commissioners Hearing Date

October 13, 2020

Requested Action

A request to rezone from the PD (planned development) district to R-2 (4 to 8 dwelling units/acre) and R-2a (8 to 14 dwelling units/acre)

Property Owner

819 Reid St., LLC

Property Description

Address: 3009 SE Hawthorne Rd.

Parcel Numbers: 16146-000-000 and 16117-000-000

Section/Township/Range: 11/10/20

Land Use: Medium (greater than 4, up to 8 dwelling units/acre) and Medium-High Density Residential (greater than 8, up to 14 dwelling units/acre)

Zoning: PD (Planned Development)

Acreage: 13.18 +/-

Previous Requests

- CPA-01-03 (Small-scale map amendment from Medium to Medium-High land use)
- ZOM-16-05 (Rezoning from R-1b to PD)

Zoning Violation History

Several. This site has had several code cases and liens. All have since been closed out.

Applicant/Agent

eda, inc.

Project Timeline

- Submitted: July 27, 2020
- Staff Report Distributed: September 10, 2020
- Planning Commission Hearing: September 16, 2020

Staff Recommendation

Staff recommends that the Board of County Commissioners **approve ZOM-04-20**, with the bases as listed in the staff report.

Planning Commission Recommendation

The Planning Commission recommended (5-0) that the Board of County Commissioners **approve ZOM-04-20**, with the bases as listed in the staff report.

Background

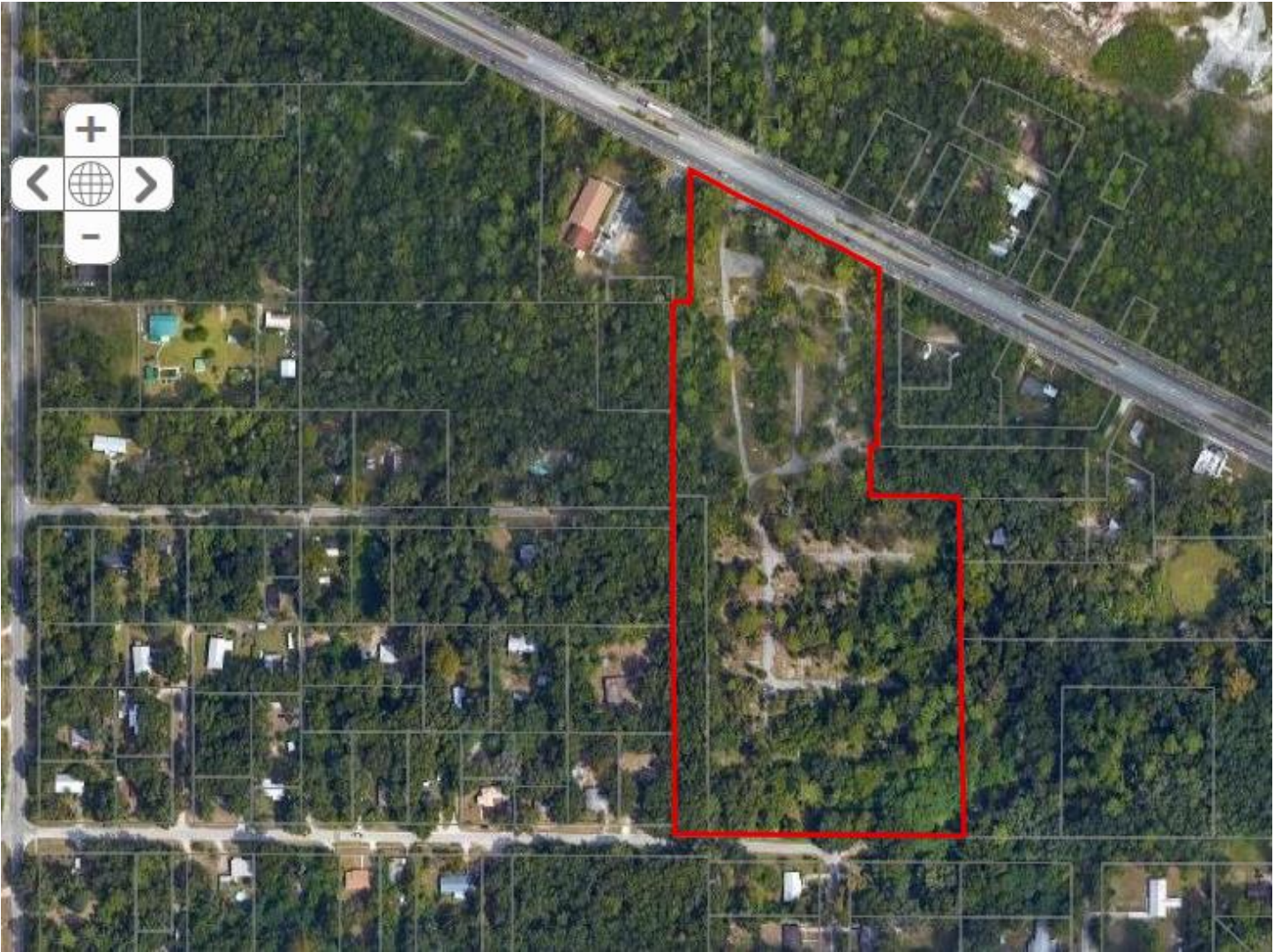


Figure 1: Aerial map of site

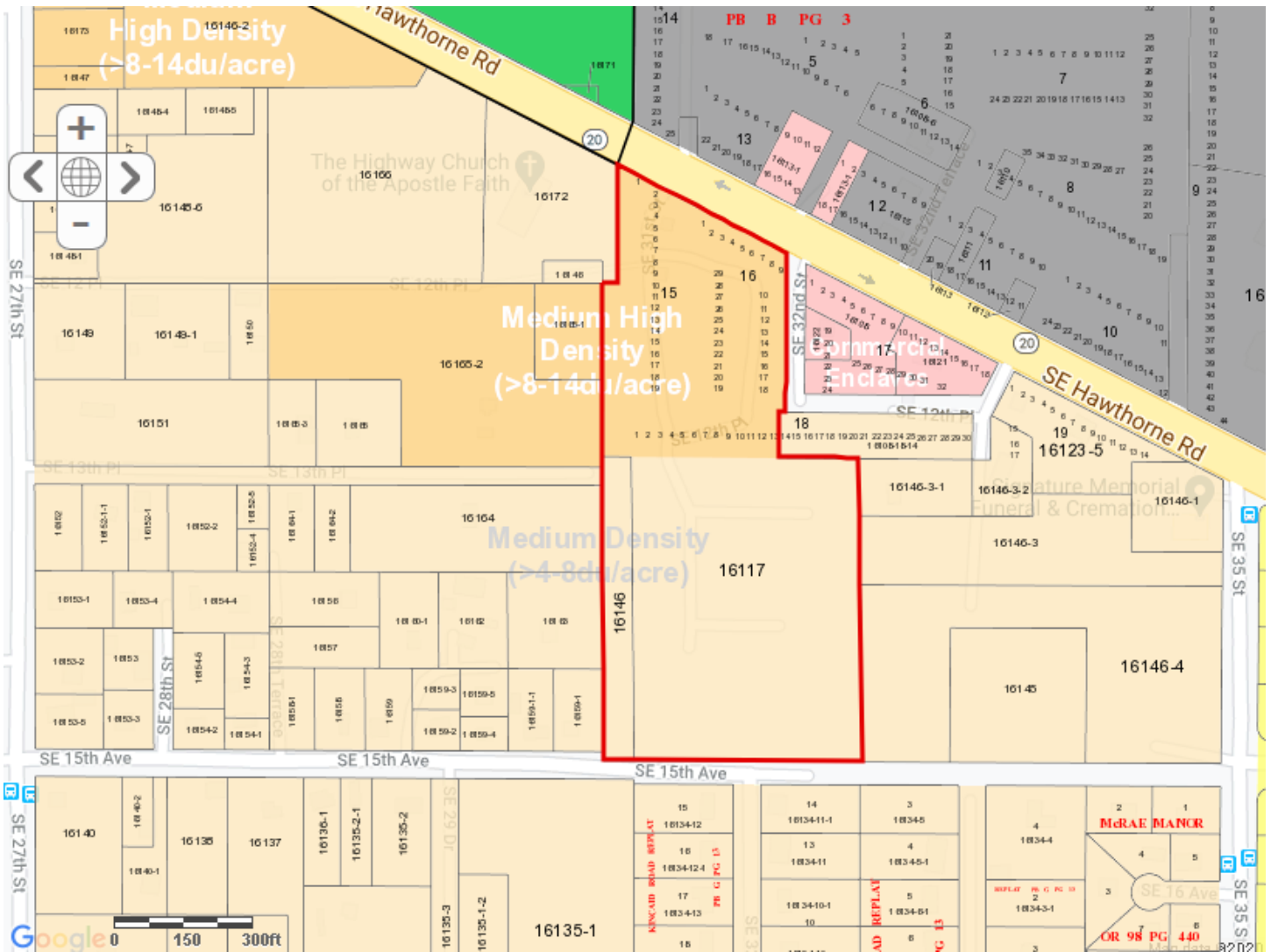


Figure 2: Future Land Use Map

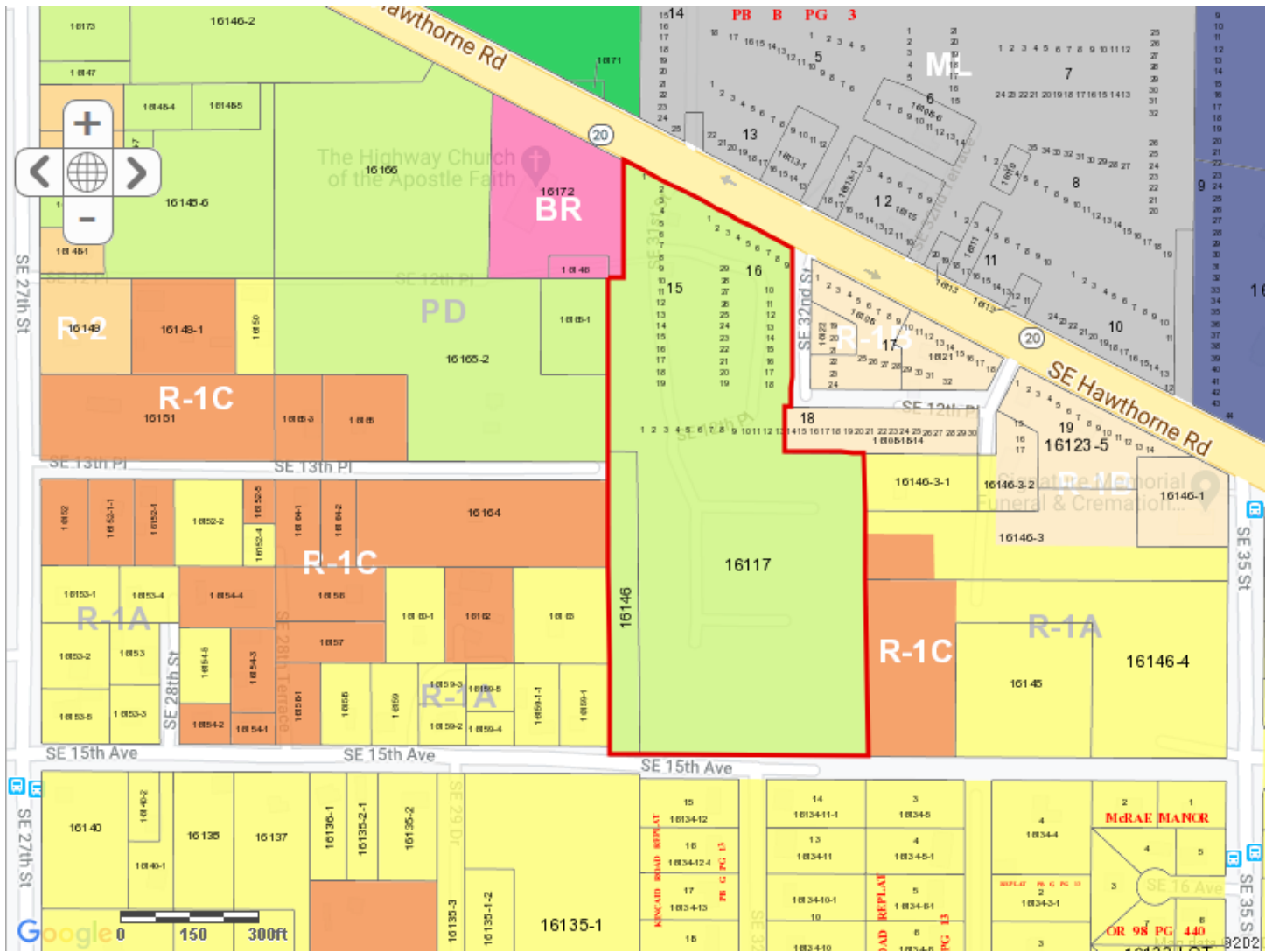


Figure 3: Existing Zoning Map

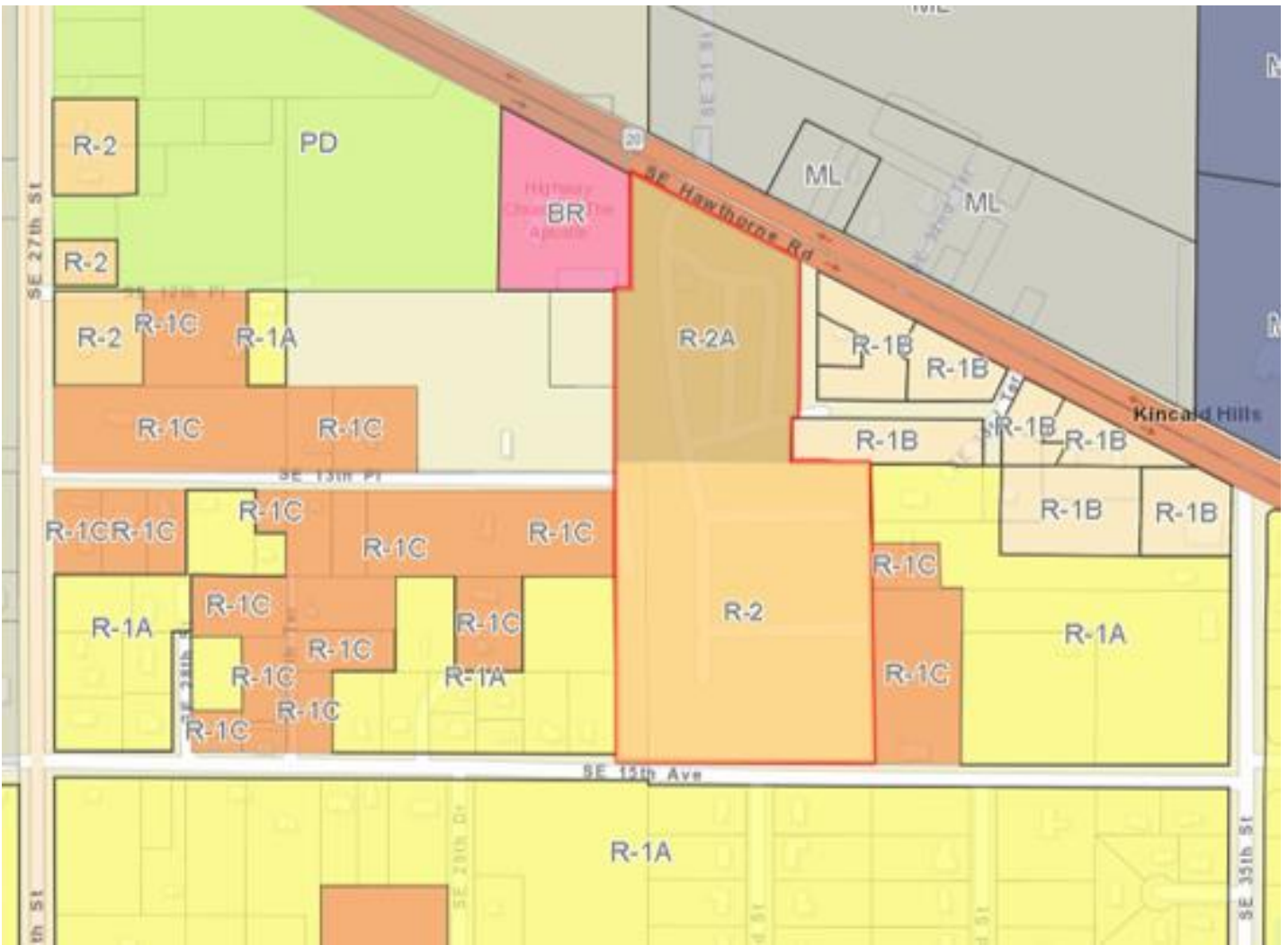


Figure 4: Proposed Zoning Map

Site description

This application is a request to rezone two parcels totaling approximately 13.18 acres from PD (residential Planned Development) to the R-2 (4 to 8 dwelling units/acre) and R-2a (8 to 14 dwelling units/acre). If approved, the site would allow residential uses within these density ranges. Based on the acreages proposed to be rezoned as R-2 (approximately 8.22 acres) and R-2a (approximately 4.96 acres), the maximum number of units would be 135. These areas coincide with their respective land use designations. However, the possibility exists that the site could develop as a Traditional Neighborhood Development (TND), at the option of the developer, in which case the maximum number of units would then be 178. Staff has used the TND maximum (which also includes non-residential uses) in this staff report for the purposes of analyzing maximum impacts.

The site is located along SE Hawthorne Rd. in the SE portion of the Urban Cluster, between the city limits of Gainesville and the Eastside Activity Center. It is the location of the Hillside Villas PD which was approved in 2005 but never developed. This PD has long since expired and consists of other parcels not part of this application (parcels 16165-001-000 and 16165-002-000, to the NW of the site). Prior to this, the site consisted of a mobile home park which closed in the late 1990s. The mobile home park was the subject of many code violations and liens which ultimately have been resolved with the new owners.

The site has a split of Medium Density Residential (greater than 4, up to 8 dwelling units/acre) and Medium-High Density Residential (greater than 8, up to 14 dwelling units/acre) land use designations. The majority of surrounding parcels have the Medium Density Residential land use designation with the exception of the remaining parcels of the Hillside Villas PD which have Medium-High Density Residential.

Several parcels in the vicinity have land use designations and zoning that are not reflective of actual uses. Parcels to the NE of the site are designated as Commercial Enclave land use; however, there is no commercial activity on these parcels. They are either vacant or have single-family residential uses and are zoned R-1b (residential, 4 to 8 dwelling units/acre). Similarly, across SE Hawthorne Rd. to the north of the site are several parcels with a future land use designation of Heavy Industrial and ML (Light Industrial) zoning. These parcels are also vacant or have single-family residential uses.

The Highway Church of the Apostle Faith is located to the NW of the site and has Medium Density Residential land use and BR (Retail sales and services) zoning.

Consistency with Comprehensive Plan

Levels of Service

The Alachua County Comprehensive Plan Capital Improvement Element requires that the public facilities and services needed to support development be available concurrent with the impacts of development and that issuance of a Certificate of Level of Service Compliance (CLSC) be a condition of all final development orders. 'Concurrent' shall mean that all adopted levels of service (LOS) standards shall be maintained or achieved within a specified timeframe. Per **Policy 1.2.4 and Policy 1.2.5 of the Capital Improvements Element** of the Alachua County Comprehensive Plan, LOS standards have been adopted for various types of public facilities.

The previous Hillside Villas PD has expired. For the purposes of determining net impacts to the level of service staff assumed that there were no impacts from the existing property.

Traffic

The subject application proposes to rezone from PD to R-2 and R-2A. Though consistent with the existing Future Land Use designation, the rezoning results in new potential trip generation, as the existing PD zoning is no longer valid. Based on maximum development potential of the site as a Traditional Neighborhood Development, the following analysis of the site is based on the Institute of Transportation Engineers Trip Generation Manual, 10th Edition. All potential transportation impacts from new development will be mitigated through the County's Multi-modal Transportation Mitigation program. Sufficient capacity exists in the East Urban Transportation Mobility District to accommodate potential impacts from the proposed rezoning.

ITE Code	Use	# of Units	Unit Type	Equation	Daily Trips
210	Single-family Detached	89	Units	$\ln(T)=0.92\ln(X)+2.71$	934
221	Multi-Family (Mid-Rise)	89	Units	$T=5.45(X)-1.75$	483
820	Shopping Center	134.625	KSF	$\ln(T)=0.68\ln(X)+5.57$	7,359
710	General Office Building	44.875	KSF	$\ln(T)=0.97\ln(X)+2.5$	489
			Total		9,265

Water and Sewer

Policy 1.2.4 (d) of the Capital Improvements Element describes the minimum Level of Service standards for potable water and sewer. These are summarized in the following table:

	Peak Residential & Non Residential	Pressure	Storage Capacity
Potable Water	200 gallons/day/du	40 p.s.i.	½ peak day volume
Sanitary Sewer	106 gallons/day/du	N/A	N/A

The site will be served by municipal water and sewer services. The maximum possible increase (developed as a TND with maximum buildout) of 178 units, 134,625 sq. ft. of retail and 44,875 sq. ft. of office would not cause the level of service for potable water and sanitary sewer to fall below adopted standards.

Drainage

Policy 1.2.4 of the Capital Improvements Element states that the minimum drainage LOS standard for residential development requires a floor elevation of one (1) foot above the 100-year/critical duration storm elevation. Any future development on this site would be required to meet this standard.

Emergency Services

Policy 1.2.5 (a) of the Capital Improvements Element states that the LOS standard for fire services in the urban cluster is as follows:

- Initial unit response within 6 minutes for 80% of all responses within 12 months.
- Development shall provide 100% of water supply from hydrants.

All development will be required to meet these standards at the time of development plan approval.

Solid Waste

Policy 1.2.4 (b) of the Capital Improvements Element states that the minimum level of service standard for solid waste disposal used for determining the availability of disposal capacity to accommodate demand generated by existing and new development, at a minimum, shall be 0.8 tons per person per year. LOS standards for solid waste will not be exceeded by this request.

Schools

The proposed rezoning authorizes an additional 178 residential units. However, the Alachua County School Board provided comment on this application with the understanding that the total acreage of the site was 13.6 acres (based on information supplied by the applicant), thereby yielding a maximum of 182 residential units. Their analysis is therefore based on this slightly overestimated number. The School Board assumed a 50%/50% split between single-family and multi-family units that would generate:

For 91 single-family units: 13 elementary, 5 middle and 7 high school students

For 91 multi-family units: 21 elementary, 8 middle and 10 high school students

Total (182 units): 44 elementary, 13 middle, 17 high school students

The school board summarizes that elementary, middle and high school levels can be reasonably accommodated during the 10 year planning period.

Recreation

The proposed rezoning authorizes an additional 178 residential units. This increase would not cause the level of service for recreation to fall below adopted standards.

Policy 7.1.2 of the Future Land Use Element

Policy 7.1.2 of the Future Land Use Element 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 has future land use designations of Medium Density Residential and Medium-High Density Residential. The R-2 and R-2a zoning districts implement these land uses, respectively.

- 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 SE portion of the Urban Cluster and will be required to be served by centralized potable water and sanitary sewer systems. The proposed rezoning authorizes 178 new residential units. The Alachua County School Board has stated that the number of students generated by this request can be reasonably accommodated during the 10

year planning period. The rezoning will not negatively impact the traffic level of service. Any development on the subject property will mitigate its impacts through the Multi-Modal Transportation Mitigation program.

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 of the site consists mostly of single family residences with Medium Density Residential and Medium-High Density Residential land use. A church with commercial zoning is located to the NW of the site along SE Hawthorne Rd. Staff has not found any issues that would negatively affect environmental justice and redevelopment opportunities.

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.

The rezoning request is for a density range that implements the underlying land use categories.

Unified Land Development Code (ULDC) Consistency

Sec. 402.77. - Review criteria and standards for rezoning applications.

When considering any application for rezoning, the standards and criteria listed below shall apply:

(a)Consistency.

The proposed rezoning would implement the underlying land uses of Medium Density Residential and Medium-High Density Residential. This is consistent with the adopted future land use map of the Comprehensive Plan.

(b)Compatibility.

The zoning pattern of the surrounding area to the south of SE Hawthorne Rd. consists of single-family residential districts (R-1a, R-1b and R-1c). However,

the land use designations on the surrounding parcels are similar to those on the site (Medium Density Residential and Medium-High Density Residential).

(c)Development patterns.

The development pattern is marked by single family residential parcels interspersed with vacant parcels. Vacant industrial parcels are found along the north of SE Hawthorne Rd.

(d)Suitability.

The parcel is the site of an expired residential PD which was approved in 2005 at a density consistent with a mix of Medium Density Residential and Medium-High Density Residential uses. If this rezoning is approved, a similar development would be able to develop. The site is not in an area with wetlands, flood zone or strategic ecosystem.

(e)Adequate public services.

This rezoning request is consistent with the adequate public facilities requirements of the ULDC.

(f)Access.

Access to the site is provided from SE Hawthorne Rd. A secondary access point will be required on an opposite side of the development as part of an approved development plan.

(g)Public health, safety, and welfare.

Staff has not identified any issues related with public health, safety and welfare.

Planning Commission Recommendation

The Planning Commission recommends that the Board of County Commissioners **approve ZOM-04-20**, with the bases as listed in the staff report.

Staff Recommendation

Staff recommends that the Board of County Commissioners **approve ZOM-04-20**, with the bases as listed in the staff report.

Bases

1. The proposed rezoning implements the underlying land uses of Medium Density Residential (greater than 4, up to 8 dwelling units/acre) and Medium-High Density Residential (greater than 8, up to 14 dwelling units/acre). The current planned development on the site has expired and must have a new Planned development approved or be rezoned in order for development to occur.
2. The site of the rezoning is within the southeast portion of the Urban Cluster. Adequate public services exist to serve the potential net increase of 135 residential units (or up 178 residential units and 179,500 sq. ft. of non-residential uses, if developed as a Traditional Neighborhood Development) per **Policy 1.2.4 and Policy 1.2.5 of the Capital Improvements Element**.
3. The site meets the criteria for multi-family development outside of a TND or TND as mentioned in **Policy 1.3.9.2**. Primary access to the site is from SE Hawthorne Rd., an arterial street. Most of the site's boundaries are contiguous with identical land uses. Those areas with differing land uses can adequately integrate through design options as provided in the Unified Land Development Code. Open space and recreational areas can be provided for as part of a future development plan.
4. The proposed rezoning meets the criteria for rezonings as listed in **Sec. 402.77 of the ULDC**. The proposed rezoning would implement the underlying land uses of Medium Density Residential and Medium-High Density Residential. This is consistent with the adopted future land use map of the Comprehensive Plan.

The zoning pattern of the surrounding area to the south of SE Hawthorne Rd. consists of single-family residential districts (R-1a, R-1b and R-1c). However, the land use designations on the surrounding parcels are similar to those on the site (Medium Density Residential and Medium-High Density Residential).

The development pattern is marked by single family residential parcels interspersed with vacant parcels. Vacant industrial parcels are found along the north of SE Hawthorne Rd.

The parcel is the site of an expired residential PD which was approved in 2005 at a density consistent with a mix of Medium Density Residential and Medium-High Density Residential uses. If this rezoning is approved, a similar development would

be able to develop. The site is not in an area with wetlands, flood zone or strategic ecosystem.

This rezoning request is consistent with the adequate public facilities requirements of the ULDC.

Access to the site is provided from SE Hawthorne Rd. A secondary access point will be required on an opposite side of the development as part of an approved development plan.

Staff has not identified any issues related with public health, safety and welfare.

Staff and Agency Comments

Department of Environmental Protection

1. There are some inconsistencies in stated total project acreage among various application documents. For example:
 - a. The application form states 13.6 acres.
 - b. The application report (pp. 2, 12, 13) states 13.18 acres.
 - c. Property Appraiser data states 12.43 acres.
 - d. The McAlpine environmental report states 12.4 acres (which reflects the Property Appraiser's data, rounded down).

There should be one, consistent number used throughout the application.

2. Tax Parcel 16146-000-000, according to Property Appraiser data, consists of two sub-parcels of 0.98 acres and 0.13 acres, respectively. The smaller sub-parcel is not shown as part of the project in application maps and therefore should not be included in total project acreage.
3. The proposed project is located on the site of a long-abandoned mobile home park. As might be expected in such cases, very little remains of intact, natural vegetative communities save some remnant nice specimen trees located here and there throughout. There are significant numbers of non-native, invasive plant species. Also associated with the former mobile home park is an abandoned wastewater package treatment plant.

A small population (< 10) of state-regulated gopher tortoises is present. Soils and remnant vegetation are such that other regulated species (e.g., Florida Gopher Frog,

Florida Pine Snake, Eastern Indigo Snake, Southern Fox Squirrel, and Southeastern American Kestrel) may be present. Should the rezoning application be approved, updated, more thorough surveys for these species will be needed at the time of development plan review.

The environmental resources survey report submitted with the application states (p. 4) that “No listed flora species were observed on the site,” but does not specify what listed species of flora were considered to have potential to occur based on site-specific habitats and known geographical range. The potential occurrence of rare plant species will need to be revisited in greater detail during development plan review should the rezoning request be approved.

4. The Kincaid Hills wellfield protection zone lies immediately south of the project area.

5. The project area lies almost entirely within a “sensitive karst area” as defined within Chapter 77 (Water Quality Standards and Management Practices) of the Alachua County Code. This has implications for stormwater treatment design (see Chapter 77, Article 3, Alachua County Code).

Existing Comprehensive Plan and Alachua County Code provisions are sufficient to address all issues identified above should the rezoning application be approved by the Board of County Commissioners

Department of Public Works

PW has no issues to the Rezoning. The parcel has no FEMA designated 100 year flood plain on the property. At DRC, access to the property will be evaluated and connection to SE 13th Place and SE 15th Avenue will be evaluated and may possibly need to be improved to current public road standards. Stub connections to the parcels to the east will need to be evaluated at DRC. At DRC, the stormwater will be evaluated and will have to control offsite discharge to SE 15th Avenue and offsite flood plain.

Transportation

The subject application proposes to rezone from PD to R-2 and R-2A. Though consistent with the existing Future Land Use designation, the rezoning results in new potential trip generation, as the existing PD zoning is no longer valid. Based on maximum development potential of the site as a Traditional Neighborhood Development, the following analysis of the site is based on the Institute of Transportation Engineers Trip Generation Manual, 10th Edition. All potential transportation impacts from new development will be mitigated

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